

Employee Handbook



Welcome to Employment with the Town of Berwyn Heights

To the employees of the Town of Berwyn Heights,

Welcome to employment with the Town of Berwyn Heights, Maryland! We are pleased to have you join our team of highly dedicated and committed public servants. It is our hope that you will find your work with the Town of Berwyn Heights to be challenging and rewarding. As an employee, you will be given the opportunity to grow, develop, and utilize your skills within a work place that values honesty, integrity, and excellence in customer service. The rewards for success will be great in terms of recognition, a sense of accomplishment and service to the community.

This employee handbook familiarizes you with employment in the Town of Berwyn Heights, the benefits that are available to you as an employee, and the policies and procedures that will touch most aspects of your working life with the Town. This handbook will serve as a ready reference when you have questions. You will receive additional information outlining your health care and other insurance benefit programs. If you have additional questions, please speak with your supervisor or do not hesitate to contact the Treasurer or me.

You are now a part of an organization serving the residents of the Town of Berwyn Heights. I believe that a position with the Town of Berwyn Heights, Maryland is more than a job; it is an expression of the trust that the public places with us. Every job is an important part of the total government operation and plays a significant role in providing services throughout the Town. Only through your efforts is the Town able to provide the quality of service that the Town's residents expect and deserve.

Again, welcome to employment with the Town of Berwyn Heights I and wish you much success in your employment!

Sincerely,

Jessica Cowles
Town Administrator

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HISTORY OF THE TOWN OF BERWYN HEIGHTS

Incorporated in 1896, the Town of Berwyn Heights in Prince George's County, Maryland is today a quiet, mostly residential community of 3,100 residents situated on the eastern slopes of the Indian Creek valley.

In 1888, a group of Washington investors led by James Waugh, Edward Graves and Benjamin Charlton platted the railroad suburb of Charlton Heights as a convenient refuge for wealthy Washingtonians. They established the Charlton Heights Improvement Company and between 1889 and 1892 built the first set of homes, many from plans of Victorian pattern books. The Company foundered in the real estate slump of 1891-1893 and a large number of properties went into foreclosure and ended up in the hands of Jacob Tome, a Maryland banker, who had financed the real estate transactions of the investors.

Wishing to make a new beginning after the turmoil of the early 1890s, residents lobbied the Maryland legislature to incorporate their community under the name of Berwyn Heights. On April 2, 1896, the Town officially came into being by an act of the Maryland General Assembly. The Town Charter called for the election of three commissioners to serve for one year without pay to administer the affairs of the Town; however, it would be 28 years before the Town had a government resembling that of the current government.

On April 9, 1924, the Maryland legislature adopted the Town's new Charter that the Berwyn Heights Association had drafted. The Berwyn Heights Association was founded in 1915 to provide essential public services in the community. The Association was the forerunner of today's Town government and maintained walks and roads, fixed the local school and negotiated with County and State agencies as well as private companies to improve the living conditions in Berwyn Heights. The 1924 Charter called for the election of five commissioners elected for two-year terms, and gave women the right to vote and hold office. The first board of commissioners was elected on May 15, 1924, most of whom were former members of the disbanded Berwyn Heights Association.

In the next 30 years, the Town of Berwyn Heights grew slowly, but following World War II, it expanded rapidly. The number of homes jumped from 316 in 1955 to approximately 1,000 by 1970. As the population increased, water and sewer lines were added, roads were paved, shopping centers opened along the new Greenbelt Road and Town services expanded. In 1956, the Town Hall opened at the corner of Berwyn Road and 57th Avenue. It housed a small administrative office and a garage for a police car. In 1958, a new elementary school was built on Pontiac Street, replacing the old summer home of St. Ann's Orphanage. In 1965, a maintenance building was constructed on 54th Avenue (now Ballew Avenue), and in 1967, the volunteer fire department moved from its location next to the Town hall to a new building on 60th Avenue.

Today the Town is fully developed with little space remaining for new home construction. The population has stabilized at the 3,000 mark and it reflects the diversity found in the greater Washington, DC metropolitan region. Many residents work for the University of Maryland and federal agencies located in the vicinity, including the Agricultural Research Center and NASA-Goddard. Other residents are self-employed tradesmen and run small businesses. Despite the changes in and around the Town, Berwyn Heights enjoys a strong sense of community. Volunteers run a variety of civic clubs and Town committees, which organize events, run athletic programs, or assist the Town to study emerging issues and concerns.

PURPOSE OF THE EMPLOYEE HANDBOOK

The Employee Handbook (Handbook) is designed to acquaint an employee with the Town of Berwyn Heights (hereinafter referred to as the Town) and provide an employee with information about the Town's policies, guidelines, and work place practices. The information in this Handbook is presented as a matter of information only and is NOT ALL-INCLUSIVE.

The Handbook will familiarize an employee with the benefits and responsibilities of being a Town employee. This Handbook can only highlight and summarize the Town's policies and practices. For more detailed information, please speak with your supervisor, the Treasurer, or Town Administrator.

As in most work places, circumstances and situations are constantly evolving. As a result, the Town may have to revise, rescind, or supplement these policies from time to time, which the Town will require an employee to sign as having received a revised copy. The Town reserves the right to add, delete, or change any of the content of this Handbook at any time without prior notice. A signed acknowledgement of receipt of the policy change will be placed in the employee's personnel file. All benefits and employment the Town offers are subject to budgetary appropriation and may be changed or eliminated; therefore, the contents of this Handbook should not be construed as a contract, expressed, or implied, between the Town and any of its employees. This edition becomes effective on the date of the Town Council's adoption and replaces all previously issued editions of the employee handbook.

Employment with the Town is "at-will" and can be terminated with or without cause at any time for any reason, with or without cause or notice. Employees and the Town have the right to terminate employment at any time. This Handbook covers all Town employees in all departments.

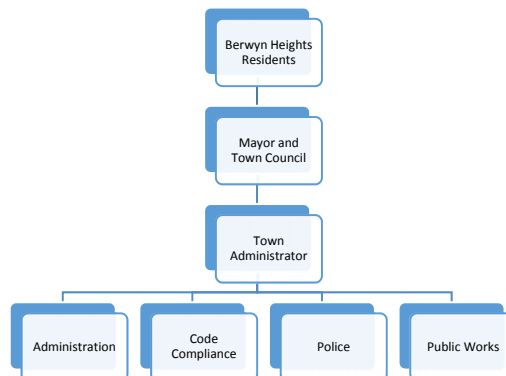
This Handbook is not intended to conflict with any provision of the State of Maryland's laws or regulations as they apply to the Town, nor with any State employment provisions. Should a conflict exist, the State laws or regulations will govern.

ADMINISTRATIVE RESPONSIBILITY

The Town Administrator or his or her designee is responsible for the administration of the content of the Handbook except as otherwise provided. The Town Administrator or his or her designee directs the enforcement of human resource policies and specifies such administrative procedures, forms, records, reports, and audits as he or she deems necessary. All Department Directors and employees of the Town assist in carrying into effect the policies, procedures and guidelines in this Handbook.

ORGANIZATION CHART

Pictured at the right is the Town's current organizational structure.



EMPLOYMENT

EQUAL EMPLOYMENT OPPORTUNITY

The Town is committed to the principle of equal employment opportunity (EEO) in any term, condition, or privilege of employment. The Town's Equal Opportunity Policy provides a uniform set of standards governing the equality of opportunity for Town employees and job applicants. The policy states:

It is the policy of the Town of Berwyn Heights to provide equal employment opportunity to all employees and job applicants. No person shall be discriminated against in any term, condition, or privilege of employment on the basis of age, race, sex, color, religion, national origin, genetics, disability, veteran status, sexual orientation, or any other status protected by state or local law.

This policy is applied to all employment actions including, but not limited to, recruitment, hiring, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation and selection for training, including internship. This policy applies to all employees, including Department Directors, co-workers, and non-employees such as contractors, clients, vendors, boards and commissions, and the public at-large.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, Treasurer, or the Town Administrator. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to, and including, termination of employment.

STATEMENT OF ADA COMPLIANCE AND DISABILITY ACCOMMODATION

To supplement the Equal Opportunity Employment Policy and in response to the Americans with Disabilities Act (ADA), the Town has adopted this additional policy statement regarding discrimination against persons with disabilities.

The Town will consider all qualified applicants for employment regardless of disability, and affords all employees opportunities for advancement according to their individual abilities without regard to any disability. No opportunity for hire, advancement, or any other condition of employment will be diminished through discriminatory practices. In accordance with the law, the Town will also reasonably accommodate qualified individuals with disabilities during the hiring process and in employment.

The Town is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

This policy is neither exhaustive nor exclusive. The Town is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with ADA, ADAAA (Americans with Disabilities Amendments Act), EEO (Equal Employment Opportunity) and all other applicable federal, state, and local laws.

EMPLOYMENT AT WILL – LAW ENFORCEMENT OFFICER BILL OF RIGHTS

Employment with the Town is “at will.” This means that employees are not obligated to work for the Town for any specific time period and that employees may resign at any time for any reason, with or without cause; the Town has the same right. This Handbook does not create any employment contract between the employee and the Town. No Town employee is authorized to make oral promises of continued employment or assurances of benefits or other oral agreements of any kind.

Sworn officers of the Berwyn Heights Police Department may have policies that conflict with those within the Handbook. When this occurs, policies within the Police Department standard operating guidelines or policies take precedence.

Maryland has a Law Enforcement Bill of Rights (LEOBR). THE LEOBR provides guidelines for officer conduct as well as procedures for investigations and discipline of police officers. The following is only a summary of the LEOBR’s components:

- Law enforcement officers shall, if disciplinary action is expected, be notified of the investigation; the nature of the alleged violation; and be notified of the outcome of the investigation and recommendations made to superiors by the investigators.
- Questioning of a law enforcement officer should be conducted for a reasonable length of time and preferably while the officer is on duty unless exigent circumstances apply.
- Law enforcement officers will be questioned by a single investigator, and he or she shall be informed of the name, rank, and command of the officer conducting the investigation.
- Law enforcement officers are entitled to counsel or any other individual of their choice present at the interrogation.
- Law enforcement officers are entitled to a hearing with notification in advance of the date, access to transcripts, and other relevant documents and evidence generated by the hearing and to representation by counsel or another non-attorney representative at the hearing.
- Law enforcement officers cannot be subject to retaliation for the exercise of these or any other rights under Federal or State laws and regulations.

IMMIGRATION LAW COMPLIANCE

The Immigration Reform Act requires employers to verify the identity of each employee hired to perform labor or services, in return for wages or other remunerations. All employees, citizens and non-citizens, as a condition of employment, must complete the Employment Eligibility Verification form (I-9) and present documentation establishing their identity and employment eligibility.

Under current law, failure to provide the appropriate documentation, receipt for a document, or revocation or expiration of employment eligibility could lead to termination of employment within three (3) business days for failure to comply. Employees with questions or to seek more information on immigration law issues are encouraged to contact the Treasurer. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

RECRUITMENT

The Town believes that in order to continue providing the high level of service residents deserve, it is critical to hire exceptional employees, so it searches as widely as possible for talented and motivated individuals to fill vacant positions. Job opportunity announcements are posted on official Town bulletin boards and the Town's website. The announcement will specify the title and pay range; the minimum qualifications; time, place, and manner of placing applications; and closing date for receiving applications. The period during which applications will be accepted for a vacant position will be a minimum of five (5) working days. The Town is committed to recruiting both externally and internally concurrently to find the best candidate for the position.

The Town has the option of searching externally for a candidate during the internal posting period. All candidates (full-time, part-time, volunteer and seasonal) will be required to complete an application for employment. The Town relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Town's exclusion of the individual from further consideration for employment.

All positions will be filled based upon the match of the skills and qualifications of the position to the candidate (internal or external). Only in the event of all criteria and qualifications being equal would seniority prevail. All applications become the property of the Town and will remain on file for a period of one (1) year. Whenever an application is rejected for any reason, the applicant shall be notified that he or she is no longer being considered for the position for which he or she has applied.

Individuals applying for positions in the Police Department (full or part-time) may have additional screening procedures including written and/or physical testing, drug testing, and extensive criminal background checks. All recruitment procedures will be spelled out within the Police Department's operating guidelines and the screening process may vary depending upon the position as well as the previous work experience of the candidate. The Town Administrator, in consultation with the Chief of Police, has the final hiring approval for positions within the Police Department.

HIRING OF RELATIVES

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. Qualified applicants who are immediate family and/or of the same household of a current employee, may be hired in accordance with the following guidelines:

Definition: Immediate family is defined as spouse, parent, child, brother (half and step), sister (half and step), grandparent, grandchild, step-child, step-parent, step-grandparent, mother-in-law, father-in-law, brother/sister – in law, daughter/son – in law or other blood relative. Same household is defined as all persons, whether related or not, living within the same house.

Guidelines: An immediate family member and/or same household may not directly or indirectly within the same chain of command, supervise or be supervised by another immediate family member. An immediate family and/or same household may not be in a position that handles confidential material, audits, verifies, receives or is entrusted with monies received by another immediate family member or in the same household. These guidelines will apply if two employees should marry.

In the case of marriage between co-workers, if one of the above situations arises, the Town will attempt to arrange a transfer within ninety (90) days of marriage. If no such transfer is available, the two (2) employees involved must identify which partner will resign from employment with the Town. Resignation must take place after the first ninety (90) days.

EMPLOYMENT BACKGROUND SCREENING

To make certain that individuals who join the Town are well-qualified and have a strong potential to be productive and successful, it is the right of the Town to perform pre-employment screening on all applicants who are offered, and accept, an offer of employment. Additionally, it is the right of the Town to perform drug testing and fitness testing if applicable. This is a sound business practice that benefits both the Town and applicants for employment with the Town and is not a reflection on any particular applicant. The Town complies with provisions of the Maryland Fair Employment Practices Act through the hiring process, including an analysis of the applicant's criminal history when making hiring decisions.

EMPLOYEE MEDICAL EXAMINATIONS

To help ensure that employees are able to perform their duties safely, medical examinations may be required. Medical examinations may be performed at the Town's expense by a health professional of the Town's choice and may be required in the following situations:

Pre-employment Examination – a physical examination may be required, depending upon the position, after a conditional offer of employment has been extended to an applicant and before an individual begins working for the Town.

Fitness for Duty Examination – the Town will require a physical and/or psychological examination where there is a need to determine whether an employee is still able to perform the essential functions of his or her job.

Return to Work or Work Requirements - a physical examination will be necessary in order to return after an employee has been on leave for a period of time due to illness or injury. Drug testing may be included for some departments due to the essential functions of the job (i.e., possession of a Commercial Driver's License, use of firearms, or post-accident).

A job applicant or an employee will be required to sign a release form so that the medical provider conducting the examination will be permitted to disclose the examination results and recommendations to the Treasurer and Town Administrator.

If the examination reveals that a job applicant or employee has a disability that impacts his or her ability to perform the essential functions of the job, the Town will consult with the employee or applicant regarding a reasonable accommodation, if any.

The results of any examination performed by, or on behalf of the Town, will be maintained in separate files, as are all medical records, and will be treated as confidential.

OTHER EMPLOYMENT

Employees may hold outside employment as long as they meet the performance standards of their job with the Town. All employees will be judged by the same performance standards and will be subject to the Town's scheduling demands, regardless of any existing outside work requirements. Outside employment cannot prevent the employee from devoting primary interest to work accomplishments for the Town. Employees should consider the impact that outside employment may have on their mental health and physical endurance. While performing other employment, employees are not able to use any property that the Town owns or leases for outside employment, including, but is not limited to, uniforms and equipment.

If the Town determines that an employee's outside work interferes with the employee's performance or the ability to meet the requirements of the Town as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the Town.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Town for materials produced or services rendered while performing their job with the town. Employees are encouraged to be familiar with the provisions of Town Ordinance 110 on Ethics.

Employees may not engage in outside employment while on light duty or use a sick day to perform outside employment duties.

Sworn Police Officers should consult the Police Department's General Orders for information related to secondary employment.

INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town may end the employment relationship at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first year after their date of hire, including Police Department employees.

Employees who are promoted or transferred within the Town must complete a secondary introductory period of the same length with each reassignment to a new position. If the Town determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period, with written notice provided to the employee.

Upon satisfactory completion of the initial introductory period, employees enter the "regular" employment classification. This does not alter the employment "at-will" status.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance, Social Security, and other benefits or provisions listed on the job offer. Employees should read the information for each specific benefit program for details on eligibility requirements.

EMPLOYMENT STATUS, PRACTICES, AND RECORDS

EMPLOYMENT CATEGORIES

It is the Town's intent to clarify the definitions of employment classifications so employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time or change the "at-will" status at any time. Accordingly, both the employee and the Town retain the right to terminate the employment relationship at any time.

The following are employee classifications:

Full-Time employees are those who are not in a temporary or introductory status, fill a position for an indefinite period of time, and who are regularly scheduled to work the Town's full-time schedule which consists of a minimum of forty (40) hours per week. Full-time employees are eligible for the Town's benefit package subject to the terms, conditions, and limitations of each benefit program.

Part-Time employees fill a position for an indefinite period of time, and who are regularly scheduled to work less than 40 hours per week. Some benefits may be afforded to part-time employees and the employee should consult the terms of the Town's letter offering employment with the Town for clarification of benefits eligibility.

Introductory employees are those whose performance is under evaluation to determine whether further employment in a specific position or with the Town is appropriate. Employees who satisfactorily complete the one (1) year introductory period will be notified of their new employment classification.

Temporary/Seasonal employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not imply a change in employment. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (i.e., employer-provided workers' compensation insurance and FICA contributions), they are ineligible for the Town's other benefit programs.

If a temporary employee is hired through an employment agency, such employment agency will handle payroll deductions, and the required employer-provided contributions for the temporary employee.

Director positions are those personnel, appointed or assigned, to positions established to administer or conduct the affairs of a particular Town department. Appointed directors are under the day-to-day direction and supervision of the Town Administrator. Examples of director positions include Public Works Director and Police Chief.

Supervisors and Immediate Supervisors are those management personnel a Director assigns to supervise particular operations within a Town department and have been delegated authority over other employees and direct their performance. Examples of supervisors/immediate supervisors include Police Sergeant, Code Supervisor, and Public Works Supervisor of Operations.

Exempt employees are paid at fixed and regular intervals on the basis of an annual salary, regardless of the hours worked. Employees are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). These employees include managerial, professional and certain administrative positions defined in the FLSA.

Non-exempt employees receive pay from the Town at a rate of one and a half times their rate of regular pay for all overtime hours worked in excess of forty (40) hours per work week in accordance with the FLSA.

In addition to the classifications above, the Town may employ some individuals as independent contractors or as consultants and are not considered Town employees. Payment is through a contractual agreement and the individuals are not eligible for any benefits offered to Town employees.

ACCURACY OF TOWN RECORDS

It is the responsibility of the employee to notify the Town of any changes in personal data. The Treasurer or his or her designee is responsible for maintaining employee records; however, these records are only as good as the information the employee has provided to the Town. The employee is responsible for notifying the Treasurer or his or her designee of any of the following that apply:

- Any changes in employee home address or phone numbers (both home and/or personal cell phone). The address on one's driver's license must be the same as one's home address within two months of employment.
- The number of dependents the employee has designated for tax withholdings and also major life events such as births, adoptions, and divorce for insurance purposes. Insurance companies have a very specific time window when employees may add individuals to a policy. Please notify the Treasurer or his or her designee immediately when experiencing a major life event as to conform to enrollment time windows.
- Marital status.
- Emergency contact information.
- Any restrictions incurred affecting an employee driver's license status (specifically as it relates to driving any Town vehicles) must be reported immediately to the Treasurer or his or her designee.

PERSONNEL RECORDS

The Town maintains a personnel file for all employees. The purpose of this file is to allow the Town to make decisions and take actions that are related to an employee, such as notifying family in case of an emergency, calculating income tax deductions and withholdings and paying for appropriate insurance coverage. The Town does not keep medical records or work eligibility records in a personnel file. Confidential medical information including drug and alcohol testing results are kept in a separate, secure location. Since the information in a personnel file is personal by nature, the Town keeps these file as confidential as possible.

Town employees may view the contents of their personnel file according to the provisions of the Maryland Public Records Act. An employee may request to review his or her personnel file by appointment with advance written notice. Access to the file will be within seven (7) business days from the receipt of the request. The viewing of the file must be with a representative of the Town present at all times. The file may not be removed from the Town Office; however, the employee may request copies of the information. All requests to view or access information from a personnel file other than the employee or the employee's Department Director shall be directed to the Treasurer or his or her designee, who is the custodian of the personnel records. If an employee disagrees with any item in his or her personnel file, the employee may send a written request to the Treasurer for the items to be removed or corrected. If this request is denied, the employee may have a written statement placed in his or her file explaining the employee's position.

Each Department Director may maintain some personnel information within the respective departments and such information is kept in a secure location but is not considered to be the official personnel file.

VERIFICIATION OF EMPLOYMENT

The Town may receive calls from prospective employers, financial institutions, and other businesses seeking employment-related information. To ensure consistency and for documentation purposes, only the Treasurer or his or her designee will process these requests for information. Department Directors are required to refer any such requests for information to the Treasurer or his or her designee immediately. Responses to such inquiries will be limited to factual information that the Town's records can substantiate.

The Town will only respond to those verification inquiries that are submitted to the Town in writing. All requests for written employment verification must contain the employee's signature for release of such information. Responses to such inquiries will confirm only the date of hire, date of resignation or termination, position held, and current/last salary and rehire eligibility; unless required by law or as a part of a legal proceeding. The Town only discloses information in accordance with Federal and State public information laws and regulations.

DRAFT

COMPENSATION PRACTICES

COMPENSATION

Wages and benefits are important parts of employment. Compensation is a combination of an employee's salary or hourly earnings, bonus or incentives, and benefit package. An employee's wages are determined by the duties and the responsibilities of the employee's position. Employees are encouraged to contact their Department Director or the Treasurer or his or her designee for specific eligibility, pay, and benefit information.

WORK SCHEDULES AND OVERTIME

The normal work schedule for employees is eight (8) hours a day, five (5) days a week. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

The operational requirements of each Department determine work hours. Work hours are defined as including all time that an employee is required to be on duty, performing their job functions whether on the Town's premises or at a prescribed work place for the Town. Work schedules differ from department to department due to the varied nature of the services the Town provides.

Department Directors will notify their employees of their work schedule prior to beginning employment. In certain circumstances, Department Directors have the discretion to change an employee's schedule as public convenience or operational necessity. Employees are provided notice as far in advance as possible when a change in schedule is required.

The standard work week of forty (40) hours for full-time employees is a fixed and regularly recurring period within seven (7) consecutive twenty-four (24) hour periods. For payroll purposes, the work week begins at 12:00 AM on Sunday and ends at 11:59 PM on Saturday.

OVERTIME

On occasion, employees may be asked to work beyond their regularly scheduled hours. Every effort will be made to give employees advanced notice when overtime work is necessary; however, it will not always be possible to notify employees in advance. Overtime is time worked in addition to the employee's regularly scheduled hours during a work cycle.

Employees are classified as exempt or non-exempt for the purpose of establishing overtime calculations based on position duties and responsibilities, as well as the amount of time spent performing various work responsibilities (see Employee Classifications for further information).

Exempt employees will not be paid for working beyond their regularly scheduled hours; they are expected to work the number of hours required to perform the tasks of the job.

Non-exempt employees are eligible to receive overtime pay at the rate of one and one-half times their regular pay for time worked in excess of forty (40) hours per workweek.

Overtime is calculated on actual time worked in the defined work week. Vacation time, holidays, jury duty, witness duty, bereavement leave, sick leave, military leave, voting, approved paid absences, and time off for workers' compensation are **NOT** considered hours worked for the purpose of calculating overtime payments and are paid at the employee's regular rate of pay, and are not counted as time worked in the computation of overtime pay.

COMPENSATORY TIME

Compensatory time (comp time) is a balance of hours accumulated at the rate of one and one half (1 ½) hours for one (1) hour worked provided to NON- EXEMPT employees in lieu of paid overtime. The maximum accrual for comp time is forty (40) hours for all employees.

In order to ensure adequate staffing, employees must schedule the use of comp time with five (5) working days' notice and all employee use of comp time is subject to supervisory approval.

Employees will be paid for working overtime, unless the employee specifically requests that the time be banked as comp time. Comp time will be earned in hour increments. Comp time will be approved in four (4) hour blocks of time. All comp time banked will be paid out in the last payroll period of the calendar year. In the event an employee leaves employment with the Town, any earned and unused comp time will be paid out in the last pay check.

Any questions regarding exemption status or how overtime is calculated, should be referred to the Department Director or Treasurer or his or her designee for further clarification.

FLEX TIME

The Town may consider flexible employee scheduling to reduce the peak loads, ensure Town services during non-traditional work days, and enable employees to balance the needs of their professional and personal lives.

When there is a need for employee scheduling of flex time for personal reasons, the request must be made in writing and written approval must come from the supervisor or Department Director. The supervisor will take into consideration that traditional and normal operating hours remain the same, telephone and walk-in coverage is not reduced and that there is no significant reduction in efficiency or work product.

FLEXIBLE SCHEDULES

The Town recognizes that the duties of some exempt employees may necessitate work schedules different than normal working hours, or require exempt employees to work additional hours during the evening and/or weekend hours. In those situations, the Town Administrator may authorize flexible scheduling to the extent that these changes are in the best interest of the Town in meeting exempt employee needs. The following rules apply to flexible schedules:

- The Department Director or Town Administrator will approve each employee's flexible schedule in advance. In situations where job responsibilities or emergency situations require the exempt employee to work on a weekend, a holiday, and/or when he or she is regularly scheduled off, the Town may grant the employee corresponding time off at a time mutually agreeable to the employee and his or her Department Director or Town Administrator.
- Adequate personnel, including supervisory personnel, will be available to carry out work activities without creating any loss in services to the public.

- If it is determined that the flexible schedule is hindering operations or being abused, the Town Administrator has the authority to discontinue the flexible schedule for an individual or within a department at any time.
- Permanent changes in an employee's work schedule require the prior approval of his or her Department Director or the Town Administrator.

ON-CALL STATUS

Certain Town positions require on-call status as a condition of employment in order to provide continuity of service and/or to respond to emergency, unsafe situations. If an hourly employee is called to perform duties outside of normal working hours (including weekends), he or she will be paid for one (1) hour of service regardless of the length of the call. If the call extends beyond one (1) hour, then the employee will be compensated for all hours worked.

POLICE

The Patrol Division works a 5-2, 4-3 work week. The Police Chief or his or her designee establishes the shift schedule; however, such schedules may need to be changed based upon events, emergency situations, or adverse weather. The typical work schedule is 10 hours per shift.

The Fair Labor Standards Act (FLSA) work cycle for officers in the Police Department is a 7-day cycle. For payroll purposes, the work week begins at 12:00 AM on Sunday and ends at 11:59 PM Saturday. Within a 7-day cycle, a patrol officer may work 40 hours within the defined work week before the accumulation of overtime.

TIMEKEEPING

Accurately recording time worked is the responsibility of every employee. Federal and State laws and regulations require the Town to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time the employee actually spent on the job performing assigned duties.

All employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. A supervisor must approve all overtime work for non-exempt employees before the work is performed. Non-exempt employees are prohibited from performing any off-the-clock work. Off-the-clock work is defined as work performed, but not reported on the timesheet. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action up to, and including, termination.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action up to, and including, termination of employment.

It is the employee's responsibility to sign their time sheet to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

PAY DAYS AND PAY CORRECTIONS

Town employees are paid bi-weekly, every other Friday, for the period ending the previous Saturday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. The Town reserves the right to change the pay date with advanced notice. All salary payments will be made via direct deposit. The Town takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Treasurer or his or her designee so that the corrections can be made on the following paycheck. The Town will not provide any loans or payroll advances to employees.

MEAL TIMES/BREAKS

Meal and break times are provided to relax and refresh employees. An employee will need to coordinate meal and break times with his or her Department Director in accordance with the department's needs and schedules. Due to work volume, some departments may need to schedule their breaks and other departments can be more informal with how the time is taken. Any missed breaks cannot accumulate as time paid. When breaks must be skipped due to the volume of workload, employees may not necessarily leave work early that day unless the Department Director has pre-approved the request. Typically, full-time employees are granted two (2) – fifteen (15) minute breaks and one (1) thirty (30) minute UNPAID lunch or employees may take a one (1) hour UNPAID lunch break.

PAYROLL DEDUCTIONS

A paycheck reflects total employee earnings for the pay period adjusted for any mandatory or voluntary deductions. Mandatory deductions are deductions that the Town is legally required to take; such deductions include federal income tax, social security tax (FICA), and any applicable state and local taxes. The Town also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The Town matches the amount of Social Security taxes each employee contributes. Voluntary deductions are deductions that the employee has authorized such as medical benefits and retirement accounts. Employees with questions regarding deductions or those employees planning to change their federal withholding form (W-4) should contact the Treasurer or his or her designee and submit the change request in writing or through completion of the designated form.

At the end of each calendar year, employees will be supplied with a Wage and Tax Statement (W-2) form. This statement summarizes employee income and deductions for the year. Employees may direct questions regarding these deductions to the Treasurer or his or her designee.

WAGE GARNISHMENTS

A wage garnishment is an order from a court or a government agency directing the Town to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages may be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, or money owed as a result of a judgment in a civil lawsuit. If a court or agency instructs the Town to garnish an employee's wages, the employee will be notified in writing of the garnishment. The Town is legally required to comply with these orders. An employee with disputes or concerns about the amount of a garnishment must contact the court or agency that issued the order.

TIME OFF BENEFITS

The Town recognizes that our employees need to take time off occasionally to rest and relax, enjoy a vacation, or attend to any personal matters. Paid time-off benefits are granted based on the number of hours in the employee's standard work week. Paid time-off benefits are not granted for overtime hours or scheduled time off. For the purpose of calculating overtime, paid time-off hours taken is not added as hours worked within a work week. Employees are not permitted the choice of working for extra pay instead of using annual leave.

ANNUAL LEAVE

Annual leave is earned on a calendar year based upon Table 1, at right. An employee must complete a waiting period of six (6) months following the date of hire before taking any accumulated annual leave.

Table 1: Annual Leave Accrual

Years of Employment	Annual Leave Accrual
0 - 4 Years	2 weeks (80 hours) (10 days)
5 – 9 Years	3 weeks (120 hours) (15 days)
10 + Years	4 weeks (160 hours) (20 days)

Table 2: Department Director Annual Leave Accrual

The annual leave accrual for Department Directors is as shown in Table 2, at right.

Years of Employment	Annual Leave Accrual
0 - 4 Years	3 weeks (120 hours) (15 days)
5 – 8 Years	4 weeks (160 hours) (20 days)
9 – 14 Years	5 weeks (200 hours) (25 days)
15 + Years	6 weeks (240 hours) (30 days)

For the calculation of annual leave, the employee's anniversary date will determine when the employee moves to the higher level of annual leave accrual. In example, an employee who has an anniversary will move to the next level of annual leave accrual on the date of their anniversary – for use during the anniversary year.

Employees are permitted to take time in increments as low as two (2) hours. An employee must request advance approval from his or her supervisor. The supervisor will be review requests based on business needs and staffing requirements for each Department. Annual leave use is paid at the employee's base rate of pay at the time of the annual leave use; it does not include any overtime or any other special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

The Town encourages employees to use annual leave within the calendar year. Throughout the year, employees accrue annual leave; however, employees should make every attempt to use their accrued annual leave by the end of the calendar year. The Town will permit employees to carry over vacation into the new calendar year based upon Table 3, below:

Table 3: Annual Leave Carry Over

Year	Carry Over Allowed
2017	160 hours
2018	120 hours
2019 and beyond	80 hours

The employee is responsible for accurately recording annual leave on his or her timesheet. It is also the employee's responsibility to have his or her supervisor sign a leave slip for approval of the annual leave, indicating that leave time has been approved. Employees may only use annual leave already accrued and may not borrow against future annual leave or carry a negative annual leave balance.

There may be circumstances where an employee cannot take annual leave due to unusual events out of the control of the employee. If this were to occur, the employee may request an extension of the annual leave carry over for a maximum of six (6) months with the approval of the Department Director and Town Administrator.

In the case of employee resignation or termination, accrued and unused annual leave that the employee has earned through the last day of active employment will be paid at the employee's base rate of pay at termination. In the event of the employee's death, earned and unused vacation time will be paid to the employee's estate or designated beneficiary. An employee who decides to resign from employment with the Town will receive his or her accrued and unused annual leave after returning all Town property to their supervisor. The employee will receive his or her final paycheck on the first regularly scheduled pay day after his or her separation of employment once the Department Director has cleared the employee for final payment.

HOLIDAYS

The Town will observe paid holidays for all full-time employees. Holiday pay will be calculated based on an employee's straight time base pay rate (as of the date of the holiday) multiplied by the number of hours that the employee would have been scheduled to work on that day. For employees who are normally scheduled to work a non-traditional eight (8) hour day, for example a ten (10) hour day, holiday pay will be ten (10) hours.

In most years, the following days will be observed as holidays for all full-time Town employees:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Good Friday- ½ day afternoon dismissal (Friday before Easter)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran's Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Employee Appreciation Day (Fourth Friday in November after Thanksgiving)
- Christmas Eve (December 24)
- Christmas Day (December 25)
- New Year's Eve (December 31)

Prior to January 1 of each year, the Town has the option of designating a floating holiday during the calendar year. The holiday will be communicated to employees by January 1 of each year.

A recognized holiday that falls on a Saturday will be observed on the prior Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. Full-time employees utilizing accrued leave both before and after the holiday are eligible to receive holiday pay.

Any full-time employee that is required to work on a Town-observed holiday will be paid for the holiday, at their regular rate for the hours scheduled to work on the holiday.

ADVERSE WEATHER

The Town recognizes how weather conditions affect the ability of employees traveling to and from work. Due to the nature of the Town's work, it is critical that essential employees report to work even in adverse weather conditions. Essential employees, including all Public Works employees, on-duty Police officers or those the Chief of Police may so designate, and others as the Town Administrator may so designate shall make all efforts necessary to arrive for an assigned shift or if called into work. Due to adverse weather conditions, an employee's regular shift hours may need to be adapted to fit the needs of the Town. The Town follows Prince George's County Government's closure and delay schedule.

SICK LEAVE

The Town provides paid sick leave benefits to all eligible full-time employees for periods of temporary absence due to illnesses or injuries. Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. An employee must personally request use of sick leave unless such illness or injury prevents the employee from doing so. A certificate from an employee's physician may be requested prior to approval of sick leave.

Full-time employees will accrue sick leave benefits at the rate one (1) day per month or a total of twelve (12) days per calendar year. Employees can request use of paid sick leave after completing a waiting period of ninety (90) calendar days from the date the employee becomes eligible to accrue sick leave benefits.

Paid sick leave can be used in minimum increments of 0.50 hours. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member (parent, spouse or child) who resides in the employee's household. In the event that all sick leave has been used, the employee may take any available compensatory time or annual leave available.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, or within one (1) hour of their start time. Failure to do so may be cause for denial of pay for the period of absence and be considered a "no-call, no-show" for the day. The employee is required to contact their direct supervisor on each additional day of absence.

If an employee is absent for three (3) or more consecutive days due to illness or injury, a physician's statement must be provided verifying the illness or injury and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition for use of sick leave. Before returning to work from a sick leave absence of three (3) calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differential.

Sick leave benefits can be used to supplement any payments that an employee is eligible to receive from State disability insurance, workers' compensation or other disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits will be carried over without maximum limitation. Any accrued and unused sick leave at the time of employee resignation or termination will be forfeited and the Town will not pay the employee for any remaining sick leave.

BEREAVEMENT LEAVE

If an employee suffers the death of an immediate family member, the employee is entitled to take up to three (3) consecutive days off of work upon immediate notification to his or her supervisor. For purposes of bereavement leave, the Town defines an "immediate family member" as an employee's spouse, parent of employee or spouse, child, brother, or sister of employee or spouse (including step relationship). Eligible employees are also entitled to one (1) day's pay in the event of the death of an additional family member. An "additional family member" is defined by the Town as an employee or spouse's grandparent, grandchild, aunt or uncle.

Employees may, with the prior approval of their supervisor, use any available paid leave for additional time off as necessary.

The Town will provide bereavement leave to full-time employees who have completed ninety (90) days of employment. Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation such as incentives, shift differential, or bonuses.

VOTING

Voting is an important exercise of an employee's civic duty. The Town encourages its employees to exercise their right to vote in all municipal, State and Federal elections. Under most circumstances, it is possible for employees to vote before or after work, or through absentee or early voting. The Town will grant up to two (2) hours of time off to vote, as long as the employee does not have two continuous hours of off duty during the time that the polls are open, in accordance with all applicable Federal and State laws and regulations. The employee is required to provide advanced notice to their supervisor so that the necessary time off can be scheduled.

JURY DUTY

The Town encourages employees to fulfill their civic responsibility by serving jury duty when required. An employee may request paid jury duty leave for the number of days as the Court requires. An employee must show the summons to his or her supervisor in order to make any arrangements needed to cover for the employee while he or she serves as a juror. An employee is expected to report to work if the employee is let out of jury duty early or is not needed for the day due to the Court's schedule.

Either the Town or the employee may request an excuse from jury duty if, in the Town's judgment, the employee's absence would create serious operational concerns. The Town will continue to provide insurance benefits for the full term of jury duty. Annual leave and sick leave will continue to accrue and holiday benefits will be paid during jury duty leave.

The Town will pay the employee's full salary while serving on jury duty, less any compensation the employee receives from the Court. The employee is required to submit a copy of the check(s) to the Treasurer for payroll purposes.

In the event an employee is summoned to appear in court for his or her own civil or criminal matter, the Town will not compensate the employee for this time. The employee will be required to use annual or compensatory time. The employee must show the summons to his or her supervisor in order to make any arrangements needed to ensure departmental operations continue while the employee appears in Court.

CIVIL LEAVE

The Town will provide paid time off to an employee appearing in Court as a witness for the Town in answer to a subpoena or as an expert witness when acting in an official capacity as part of the employee's Town job responsibilities.

MEDICAL LEAVE

The Town provides medical leave of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; and undergoing continuing treatment from a health care provider.

Employees in the following employment classifications are eligible to request medical leave as described in this policy:

Full-time employees: Eligible employees may request medical leave only after completing ninety (90) days of employment. Exceptions to the service requirement will be considered to accommodate disabilities. Eligible employees should make requests for medical leave to their supervisor at least thirty (30) days in advance of foreseeable events and as soon as possible for unforeseeable events.

The employee must submit a health care provider's statement verifying the need for medical leave and the beginning and expected ending dates of the leave. Any changes in this information should be promptly reported to the Treasurer or his or her designee. Employees returning from medical leave must submit a health care provider's verification of the employee's fitness to return to work. Eligible employees may be granted leave for the period of the disability, up to a maximum of six (6) weeks. If the initial period of approved absence proves insufficient, consideration will be given to a request for a leave extension. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions, and limitations of the applicable plans, the Town will continue to provide health insurance benefits for the full period of the approved medical leave. Benefit accruals, such as annual or sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

In order for an employee's return to work to be properly scheduled, an employee on medical leave is requested to provide the Town with at least one (1) week's advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified. If an employee fails to report to work promptly at the end of the medical leave, the Town will treat the failure to report to work as an employee resignation.

If the employee cannot perform their normal duties, alternative employment, if available, may be requested in writing. This request should be given to the employee's Department Director and the Town Administrator. The Town will decide if there is available alternative employment, the hours that are available for work, and the duration of the alternative employment.

PREGNANCY

An employee who becomes pregnant, may be required to provide a doctor's notice that the individual is capable of performing the tasks of the position. In some positions, for example a Public Works maintenance worker or a Police officer, the nature of the duties potentially places the mother and unborn child at risk and as such, the Town will work with the employee and medical provider to ensure a safe working environment throughout the pregnancy. Based upon medical advice, the employee may request a personal leave of absence prior to the birth of the child.

PERSONAL LEAVE

The Town provides leaves of absence **without pay** to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

Full-time employees: Eligible employees may request personal leave only after completing one (1) year of service. As soon as eligible employees become aware of the need for a personal leave of absence, the employee should request a leave of absence from their supervisor.

Personal leave may be granted for a period of up to **two (2) weeks every two (2) years**. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than thirty (30) calendar days. With the Department Director's approval, an employee may take any available sick leave or annual leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated work load requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, the Town will provide insurance benefits until the end of the month in which the approved personal leave begins. At that time, **employees will become responsible for the full costs of these benefits if the employee intends to continue coverage.** When the employee returns from personal leave, the Town will provide insurance benefits according to applicable plans. Benefit accruals, such as annual leave, sick leave, or holiday benefits, will be suspended during the personal leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available or to a similar available position for which the employee is qualified; however, the Town cannot guarantee reinstatement in all cases. If an employee fails to report to work promptly at the expiration of the approved leave period, the Town will treat the failure to report to work as an employee resignation.

MILITARY LEAVE

The Town supports those who serve in the armed forces. In keeping with this commitment, and in accordance with Federal and State law and regulations, employees who must be absent from work for military service are entitled to a military leave of absence. (Please also review the USERRA policy in the Employment Policies section for additional information)

Annual leave, sick leave, and holiday benefits will not continue to accrue during a military leave of absence. Benefits will only continue until the end of the last month worked, and then the employee will be moved into unpaid status. At that time, the employee will become responsible for the full costs of these benefits if the employee intends to continue coverage. When the employee returns from military leave, the Town will provide

benefits according to the applicable plans. The employee will not lose any benefits already accrued, but he or she will not accumulate any additional benefits until returned to a paid status.

Regular employees who are members of the reserve component of the U.S. military forces or the State of Maryland shall notify the Town Administrator and Department Director promptly upon notification of reserve training. The employee shall be granted paid time off, up to a maximum of two (2) weeks per year, if required to participate in reserve training activities.

An employee who is called to military service shall notify the Town Administrator and Department Director as soon as possible that he or she will need to take military leave and submit written orders. Verbal notices will not be considered official notification. An employee whose military service has ended must return to work or inform the Town that he or she requests to be reinstated following these guidelines:

- For a leave of thirty (30) or fewer days, the employee must report back to work on the first regularly scheduled workday after completing military service, with a suitable allowance for travel time.
- For a leave of thirty-one (31) to one hundred and eighty (180) days, the employee must request reinstatement within fourteen (14) days after military service ends.
- For a leave of one hundred and eighty-one (181) days or more, the employee must request reinstatement within ninety (90) days after military service ends.

When an employee's military leave ends, the employee will be reinstated to the position he or she previously held, or to a comparable position, as long as the employee meets the requirements of Federal and State laws and regulations. The Town will follow all Federal military leave regulations in effect at the time of the leave request.

USERRA

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a Federal law that prohibits discrimination against employees who are in the U.S. Armed Forces, have served in the military, or take leave to serve in the military. USERRA protects employees who serve in the United States military, including those who serve in the Army, Navy, Marine Corps, Air Force, Coast Guard, Reserves, Army or Air National Guard, and Commissioned Corps of the Public Health Service. Maryland law extends the rights afforded by USERRA to members of the state National Guard and the Maryland Defense Force who are ordered to military duty.

An employee who has been employed for at least ninety (90) days are permitted to take at least fifteen (15) days off each year to respond to an emergency mission of the Maryland Wing of the Civil Air Patrol. An employee must give as much notice as possible of their need for this leave. After arriving at the emergency location, employees must notify the Town and estimate the length of the mission. An employee is entitled to reinstatement upon his or her return from this type of leave. (See Military Leave in Time-off Benefit Section for additional information).

EMPLOYMENT BENEFIT PROGRAMS

Many benefit plan offerings are defined through legal documents (such as group insurance contracts) and registered retirement plan documents. If the general descriptions in this Handbook do not conform to the formal language found in the contract and plan documents, the contract and plan documents take precedence. Employees are encouraged to familiarize themselves with, and take advantage of, all employee benefit opportunities. Since benefits are likely to change from time to time, the policies for benefits do not create any expressed or implied contractual obligation on the part of the Town or its employees. The Town reserves the right to modify insurance benefits at any time. Additional information on the Town's benefit programs is available by contacting the Treasurer.

MEDICAL INSURANCE

The Town provides a comprehensive health insurance benefit program to all eligible full-time employees who elect to participate. The health insurance program may include dependents as defined in the summary of the health plan document as the Treasurer may update and distribute from time to time. An employee is eligible for medical insurance the first of the month following their first month of employment.

The premium costs may change from time to time. The Town may, at any time, increase the employee's percentage of the cost of monthly insurance premiums with prior notice to the employee. The Town reserves the right to institute cost containment measures relative to insurance coverage.

BENEFIT CONTINUATION (COBRA)

In the event that an employee and his or her dependents are no longer eligible for Town benefits as a result of the voluntary or involuntary termination of the employee, a change in employee classification, or as a result of the separation, divorce, or death of the covered employee, then an individual may have the right to continue the same group medical coverage at group rates. An individual's cost for coverage may be higher than what the individual was contributing for the cost of insurance while the Town was contributing a portion of the expense.

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, or "COBRA" (Public Law 99-272, Title X), the Town will offer qualified persons the opportunity to apply for temporary extension of health coverage (also known as benefit continuation coverage). Benefit continuation coverage typically lasts for eighteen (18) months; longer periods are available in specific circumstances. A representative of the Town will meet with the employee prior to the last day of employment or send information to the employee's last address on file regarding rights to continue benefit coverage.

ACCIDENTAL DEATH & DISMEMBERMENT (AD&D)

The Town pays for AD&D insurance for all employees. If an employee is permanently and totally disabled from performing the job duties, as determined by the Town's insurance carrier, the employee may be eligible for a lifetime monthly disability retirement benefit. There are two types of disability benefits:

Ordinary: Any permanently disabling physical or mental condition

Accidental: Any permanently disabling condition caused by injuries sustained from an accident on the job.

BASIC LIFE INSURANCE

The Town provides a life insurance plan at the Town's expense for all full-time employees. A summary of this benefit is available from the Treasurer.

UNEMPLOYMENT COMPENSATION

The Town contributes the required employer contribution to the State of Maryland to provide unemployment benefits to separated Town employees based upon the State's determination for eligibility.

SOCIAL SECURITY

The Town participates in the required employer and employee contributions for the Social Security, Medicare and Medicaid programs. Employee contributions are deducted from each paycheck and the Town contributes at the applicable wage base as established in Federal laws and regulations.

STATE RETIREMENT

The Town participates in the State Retirement and Pension System of Maryland. An employee becomes eligible within the system after working a minimum of 500 regular hours, excluding overtime. The Town and employee contribute a percentage as the State determines. An employee becomes vested in the plan after achieving the plan's number of years of eligible service.

Employees are eligible to receive a retirement benefit after achieving a combination of age and years of service. Information on the retirement plan can be obtained either from the Treasurer or the State Retirement Agency.

VOLUNTARY BENEFITS

The Town makes a number of voluntary benefits available to employees. As these benefits become available, the Treasurer will communicate information about voluntary benefits and employees will have the option to enroll.

EMPLOYEE DEVELOPMENT

EMPLOYEE PERFORMANCE REVIEWS

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations may be conducted at the end of an employee's initial period in any new position. This period, known as the introductory period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees with the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Copies of completed performance reviews are given to the Town Administrator for review and approval. After the review has been completed with the employee and it has been appropriately signed, the review will be placed in the employee's personnel file. A completed performance review does not necessitate a change in salary or other form of compensation.

INTRODUCTORY EVALUATIONS

Employees may be evaluated more than once annually during their introductory period. Police Department employees may undergo quarterly evaluations in relation to the Department's Field Training Program.

INTERNAL TRANSFERS/PROMOTIONS

The Town encourages current employees to apply for vacant positions of interest to them. Open positions are posted for at least five (5) days and run concurrently or prior to outside advertising for positions. (See "Recruitment" in the Employment section for additional information).

Employees with more than twelve (12) months of service may request consideration to transfer to other positions as vacancies become available and will be considered along with other applicants. At the same time, the Town may initiate transfers of employees between departments to meet specified work requirements and reassignment of work requirements. To be considered, employees must have held their current position for at least twelve (12) months, have a satisfactory performance record, have no disciplinary actions during the last twelve (12) months, and meet the qualifications for the position. In addition, the employee's past performance, experience, training, work-related background, attendance, and length of service will be evaluated.

The Town offers its employees promotions to higher-level positions when appropriate. The Town encourages promotions from within the group of current employees and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the Town's best interest.

TRAINING, CONFERENCES, AND WORKSHOPS

The Town supports employees attending educational programs that provide for an employee's professional and individual development. The Town may pay registration and tuition fees for programs, seminars, and workshops that will improve the employee's ability to perform their job with prior Department Director approval. Employees are responsible to show successful completion of training.

The ability for an employee to attend such professional development opportunities will be dependent upon the fiscal ability of the Town to support such activities. Employees should consult the travel reimbursement policy if the event is out of town; however, all expected travel expenses should be submitted as part of the approval process.

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EMPLOYMENT POLICIES

CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Town operates. The purpose of these policies is to provide general direction so employees can seek further clarification on issues related to the subject of acceptable standards of operation. Town Ordinance 110 governs ethics and financial disclosure and an employee should be familiar with its provisions. An employee should contact the Town Administrator for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in personal gain for that employee or for a relative as a result of the Town's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No presumption of guilt is created by the mere existence of a relationship with outside firms. If an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that the employee disclose the existence of any actual or potential conflict of interest to the Town Administrator to implement any safeguards to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Town does business, but also when an employee or relative receives any special consideration, kickback, bribe, or substantial gift, as a result of any transaction or business dealings involving the Town.

The following describes activities which could be construed as a conflict of interest, and unethical or non-conforming activity with the rules of conduct:

1. Use of public resources such as staff time, equipment, supplies, facilities, or privileged or confidential information for personal gain.
2. Use of position with the Town to take special advantage of services or opportunities for personal gain. Employees should not accept gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being so compromised. Acceptance of nominal gifts in keeping with special occasions, meals, and refreshments in the ordinary course of business, or social courtesies, which promote good public relations and encourage participation in community events, is permitted provided that the value does not exceed \$20.00.
3. Excessive use of the employee's time while at work completing tasks other than those relating to Town business such that it impairs the employee's attention or efficiency in the performance of his or her duties as a Town employee.
4. Acquiring or holding of an interest in any business or undertaking where an employee may benefit economically when the Town employee has substantial oversight authority of the business interest or undertaking for the Town.
5. Representation of any development, entity, or person within two (2) years of separation of employment with the Town with regard to any matter for which he or she had any direct responsibility or authority in regard to permitting, approval, or contracting.

Any violation of these provisions will be grounds for disciplinary action, up to, and including dismissal. Any questions as to whether a situation is a conflict of interest should be referred to the Town Administrator.

WORKPLACE VIOLENCE POLICY

The Town is committed to a safe workplace free of violence. Any behavior that creates a climate of violence, hostility, or intimidation will not be tolerated regardless of its origin. The Town has a zero tolerance approach toward violence in the workplace. Threats or intimidation of employees, vendors, customers, or others with whom the Town has contact is strictly prohibited. Violating rules regarding the handling of dangerous materials in the workplace is also a violation of this policy.

The workplace is defined as all property including parking lots, public areas such as lobbies, rest rooms, break rooms, and vehicles as well as any location where the employee is assigned to perform work.

The following list of prohibited behavior examples is not all-inclusive and is for illustrative purposes only.

- Making threats with words or gestures
- Intimidating others
- Acting in a hostile manner
- Fighting
- Pushing
- Physically blocking another person's freedom of movement
- Brandishing, displaying, or possessing a weapon
- Stalking
- Nuisance telephone calling
- Sabotaging another person's work
- Harmful misuse of Town equipment or property
- Causing or maintaining high levels of conflict or tension within a work unit or between co-workers
- Threatening or attempting suicide

The Town recognizes that individuals the Town does not employ can bring violence into the workplace. Employees are required to assist the Town in protecting against workplace violence that non-employees may commit. An employee must report to their Department Director, Treasurer, or Town Administrator any action, behavior, or perceived threat from intruders, customers, vendors, outside contractors, and family members and/or acquaintances of employees.

Domestic violence can lead to acts of violence against an employee at the employee's workplace and may injure not only the targeted employee but co-workers in the area at the time of the incident. If an employee is aware of a troubled relationship that may lead to violence in the workplace, the employee should report it to the Town Administrator so that appropriate preventative measures can be taken. The Town understands the sensitivity of such situations and will handle the information discreetly and confidentially to the extent practical to maintain employee privacy while at the same time investigating or taking appropriate precautionary measures.

The Town requires the reporting of all incidents regardless of the offender and regardless of the victim. Anyone who has observed or becomes aware of such prohibited behavior, whether it is directed to themselves or another individual, is to report it even if the person who observes the behavior is not the target of such behavior. This policy also prohibits retaliation against any person who reports violent or intimidating behavior or cooperates in investigating such a complaint.

Depending upon the circumstances, the outcome of the investigation will be communicated to the appropriate persons, and action may be taken up to, and including, termination and legal action such as pursuing a restraining order, arrest, and prosecution. Any employee who has been found in violation of this policy by committing a violent act, or to have deliberately falsified a report of violence will be subject to disciplinary action up to, and including, termination.

GENETIC INFORMATION NON-DISCRIMINATION ACT (“GINA”)

The Genetic Information Nondiscrimination Act (“GINA”) prohibits an employer from discriminating against an individual in hiring, firing, compensation, terms, or privileges of employment on the basis of genetic information of the individual or family member of the individual. The Town complies with this law and understands that the law defines genetic information as (1) an individual’s genetic tests; (2) an individual’s family member’s genetic tests; or (3) the manifestation of a disease or disorder in the individual’s family member. Subject to a number of narrowly defined exceptions, GINA prohibits the Town from requesting, requiring, or purchasing the genetic information of the individual or family member.

INSPECTION POLICY

The Town of Berwyn Heights reserves the right to conduct random inspections to help maintain a safe and efficient working environment for all Town employees and customers. Employee cooperation in the conduct of inspections is required as a condition of employment. Employees on the Town’s premises are subject to questions and search at the Town’s discretion, generally when the Town Administrator and Department Director have a reasonable suspicion to conduct an inspection. There is no reasonable expectation of privacy in employee use of Town property such as Town-owned/leased vehicles, lockers, desks, filing cabinets, computer files, e-mails, and voice mails and the Town may inspect these at any time. A Town-initiated search does not necessarily imply an accusation of theft or that an employee has violated a Town policy.

HARASSMENT POLICY

The Town strives to maintain a positive work environment free from all forms of harassment. This policy applies to all employees and non-employees; i.e., customers, clients, vendors, job applicants, and consultants. Employees are cautioned to consider their behavior and comments from the perspective of anyone who might see and hear them.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual that is based upon a person’s protected status such as: offensive language and behavior regarding an individual’s age, race, sex, color, religion, genetics, national origin, disability, veteran status, sexual orientation, or any other legally protected group status. The Town will not tolerate harassing conduct that adversely affects job benefits, work performance, or creates a hostile, intimidating, or offensive working environment.

The Town believes that sexual harassment raises some issues that are unique in comparison to other forms of harassment and warrants separate emphasis. It is the policy of the Town to maintain an environment free from all forms of unlawful discrimination, including sexual harassment. The Town strongly opposes sexual harassment and inappropriate sexual conduct.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Rejection of such conduct is used as the basis for decisions affecting an individual’s employment.
- Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes, but is not limited to, sexually implicit or explicit communications whether in:

Written Form such as cartoons, posters, calendars, notes, letters, and email.

Verbal form such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.

Physical gestures and other non-verbal behavior such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another person's body.

The Town is committed to maintaining a positive work environment that is sensitive to the diversity of its employees and free of unlawful harassment. The Town requires the reporting of ALL incidents which violate this policy regardless of the offender. Any person who believes this policy has been violated, whether in relation to themselves or another individual, should report it immediately to his or her Department Director or the Town Administrator. If the employee has an accusation of harassment against the Town Administrator, the employee should report it to the Mayor and Town Council.

Every Town employee is responsible for assisting in the prevention of harassment through the following acts:

- Refraining from participating in, or the encouragement of, actions that could be perceived as harassment;
- Reporting acts of harassment to a Department Director;
- Assisting any employee who confides that he or she is being harassed and encouraging them to report it to a supervisor;
- Participation in, or failure to, take action to stop known harassment can result in discipline up to, and including, termination.

Any individual with a complaint in regards to this policy will be asked to put the complaint in writing. The Town encourages all individuals to report suspected violations of this policy as close to the date of the alleged occurrence as possible so that the Town can respond to the complaint in a prompt and adequate manner. Regardless of when the alleged harassment or unlawful discrimination occurs, the Town will investigate all reported violations of this policy. All complaints are investigated and handled as promptly and as confidentially as practical. The Town will review the findings of the investigation with the complainant at the conclusion of the investigation. If the investigation reveals that the complaint appears to be valid, immediate and appropriate corrective action up to, and including, termination may be taken.

If the Town finds after a thorough investigation that an employee knowingly made a false accusation of harassment or discrimination, that employee may be subject to appropriate corrective action up to, and including, termination if necessary, and in accordance with all applicable Federal and State laws and regulations.

If, upon investigation, an employee is found to have committed criminal activity, such as battery or sexual assault, the Town Administrator will notify the Police Department immediately for appropriate action.

Any form of retaliation that is taken against an employee or individual that has reported or complained of harassment or discrimination, or against any employee who cooperates in the claim of harassment or discrimination, is prohibited. If an employee perceives any form of retaliation for making a complaint or for participating in an investigation, he or she is strongly urged to bring the matter to the attention of his or her Department Director or the Town Administrator immediately.

WEAPON-FREE WORKPLACE

In the interest of maintaining a workplace that is safe and free of violence and as a condition of employment, the Town is declared a weapon-free workplace. The Town prohibits the possession or use of dangerous weapons while on Town property.

This policy applies to all Town employees, including seasonal and temporary, and any consultants on Town property. A license to carry the weapon on Town property does not supersede Town policy. The State of Maryland Public Safety Article, or its successor, provides an exception to the weapons-free work place policy by permitting possession of weapons for those on "official business" who are employed in a capacity permitting such weapons i.e., law enforcement officers, members of the United States armed forces, wardens or correctional officers, and sheriffs.

Town property covered in this policy includes all Town-owned or leased buildings, surrounding areas such as sidewalks, walkways, driveways, and parking lots under the Town's ownership or control. This policy also applies to all Town-owned or leased vehicles and all vehicles that come onto Town property.

Dangerous weapons include, but are not limited to, handguns, firearms, explosives, knives and other weapons further defined in State or local laws and regulations. If an employee has a question regarding whether an item is covered by this policy, the employee should contact the Town Administrator. It is the employee's responsibility to make sure that any item not specifically listed above in the employee's possession is not prohibited.

Any employee in violation of this policy will be subject to disciplinary action up to, and including, termination.

DRUG-FREE WORKPLACE

To ensure a safe and productive work environment and the efficient delivery of public services, the Town prohibits its employees from the manufacture, distribution, dispensation, possession or use of any controlled substance on any Town facility or work site. Town facility or work site includes Town owned/leased vehicles or personal vehicles used for Town business or parked on Town property. This policy is applicable whenever an employee is conducting Town business or is representing the Town. The goal of this policy is to ensure each Town employee is as fit for duty and as safe and productive as possible every work day. This policy complies with the State of Maryland and the Federal Drug-Free Workplace Acts.

This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, have a negative impact on productivity and morale, adversely affect the safety of the public or the reputation of the Town and threaten the Town's operations, assets, or integrity.

Any illegal or controlled substance found on Town property or which a Town employee discovers should be immediately turned over to the Berwyn Heights Police Officer or the Prince George's County Police or the Maryland State Police if a Berwyn Heights Police Officer is not on duty or is otherwise not available.

The Town will not knowingly hire, retain, or permit to work on Town business any employee who is impaired through the use of alcohol, a controlled substance, or illegal drugs, nor anyone abusing prescription or non-prescription drugs. All employees, as a condition of employment, must agree to abide by the terms of the Town's Drug and Alcohol policy, and notify the Town Administrator, within five (5) calendar days if he or she is convicted of a criminal drug violation.

Employees who must hold a valid Commercial Driver's License (CDL) as a condition of employment are subject to additional drug and alcohol rules, regulations and testing including reasonable suspicion testing as established by the Federal Department of Transportation.

VOLUNTARY REQUEST FOR HELP

The Town recognizes that alcohol and drug abuse and addiction are treatable illnesses and the Town encourages employees to voluntarily seek professional assistance with drug and alcohol issues before the problem leads to an incident requiring disciplinary action. Such employees shall be accommodated to the extent as required by applicable laws and regulations. When a violation of this policy or other Town rules has occurred, an employee's voluntary request for help or participation in a drug or alcohol rehabilitation program shall not insulate the employee from appropriate discipline up to, and including, termination.

DRUG AND ALCOHOL TESTING

A safe and productive drug and alcohol free workplace is achieved through cooperation and shared responsibility for both employees and supervisors. To promote a safe and productive workplace, the Town will conduct the following types of drug and alcohol testing for all employees:

Pre-employment: The Town may test all final applicants for positions with the Town. This may include drug testing and/or a physical. An applicant who is unable to pass the physical and/or who tests positive for illegal drugs will not be hired.

Reasonable Suspicion: An employee will be asked to submit to tests for alcohol and/or drug use when the employee is reasonably suspected of being impaired by the use of alcohol and/or drugs.

Post-Accident: An employee who obtains a personal injury while on the job, or is involved in a vehicle or equipment accident shall be subject to alcohol and/or drug testing, at the Department Director or Town Administrator's discretion. If the test is returned as positive for drugs and/or alcohol, the Town may take legal action against the employee and the employee may be responsible for all damages to Town equipment, Town property, or other damages.

Return-to-Duty: If the Town elects to allow an employee to return to work following a positive drug test result, it is mandatory that the employee must first pass a drug test.

Random testing: The Town has the right to randomly conduct drug testing at any time.

To ensure the accuracy and fairness of the testing program, all testing will be conducted according to Federal guidelines and will include a screening test, a confirmation test, the opportunity for a split sample, medical officer review, a documented chain of custody, and, for employees who test positive, the opportunity to provide a legitimate medical explanation (such as a physician's prescription) for the positive result.

Any employee who tests positive for alcohol or prohibited drugs will immediately be removed from duty and referred to a substance abuse professional for assessment and recommendations. If returning to the workplace is determined to be appropriate, as a condition of continued employment, the employee may be required to sign a Return-to-Work Agreement. The Return-to-Work Agreement may include required ongoing, unannounced, follow-up testing for a period up to five (5) years.

Any employee who is convicted of a criminal drug violation in the workplace, or driving under the influence (DUI) must notify the Town Administrator in writing within two (2) calendar days of the conviction. The Town will take appropriate action within thirty (30) days of notification.

MARYLAND FALSE CLAIMS ACT OF 2015

The Town complies with the Maryland False Claims Act, or its successor, that states an employee may not be retaliated against for disclosing information regarding a violation of any State or Federal law, rule or regulation, mismanagement or abuse of authority in State or local government, substantial waste of public funds or a danger to public health or safety. Before disclosing information to anyone other than an attorney, the employee must do one of the following: disclose the information in writing to the employee's Department Director and the Town Administrator, or disclose the information in writing to an appropriate governmental unit as the State's Equal Rights Division may so designate.

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EMPLOYEE CONDUCT AND PRACTICES

EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, the Town expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action up to, and including termination, of employment:

- Unsatisfactory performance or conduct;
- Theft or misappropriation of Town property including timekeeping records;
- Excessive tardiness or absenteeism, or unauthorized absences. An unauthorized absence for two (2) consecutive days may be considered a voluntary resignation.
- Arguing or fighting with customers, co-workers, or supervisors;
- Carrying an unauthorized weapon at work;
- Threatening the physical safety of customers, co-workers, supervisors, Department Directors, the Town Administrator, and elected officials;
- Physically or verbally assaulting someone at work;
- Any illegal conduct at work and any breach of confidentiality;
- Using or possessing illegal drugs or alcohol at work, the manufacture, dispensation, distribution, transportation, or being under the influence of illegal drugs or alcohol while operating Town equipment or vehicles or while on duty or performing assigned job duties;
- Insubordination or willful misconduct;
- Conviction of a felony;
- Making a false statement on a job application or in securing appointment;
- Violating Town rules, standard operating procedures, and regulations, including failure to observe safety rules and regulations;
- Unlawful discrimination and harassment related to an individual as included in a protected class;
- Neglect of duty, incompetence, inefficiency, dishonesty, negligence or damage to public property;
- Loss of driver's license if required for the job;
- Abuse of sick leave.

Employment with the Town is "at will" and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

PUNCTUALITY AND ATTENDANCE

An employee's attendance and punctuality is important to the effective operation of the Towns' services. An employee's attendance and punctuality is considered along with his or her work performance in granting pay raises, promotions, or transfers. Absenteeism or tardiness that is excessive in the judgment of the Town will not be tolerated.

Each Department will establish its own attendance criteria and call-in procedures. In general, if an employee is going to be absent or late, he or she must let his or her Supervisor or Department Director know as soon as possible prior to the beginning of the scheduled shift. Leaving messages with other employees or on voice mail is not considered notification. An employee should check with his or her supervisor or Department Director on the acceptable protocol and who is the designated contact person to call in sick for the Department. Departments may require a health care professional to verify the necessity of sick leave at any time (see also Sick Leave).

PERSONAL APPEARANCE

Employees may be allowed freedom in selecting their clothing; therefore, it is very important that these employees choose appropriate attire for their position. Clothing should be consistent with good hygiene, safety considerations, and what the Town considers proper for the work environment. If a Department Director or Supervisor believe that an employee is dressed inappropriately, he or she may be sent home to change his or her attire. Any travel time for the employee to change to more appropriate attire would not be paid as hours worked.

Appropriate dress will be dependent upon the department, job responsibilities, and contact with the public. As a general rule, the Town does not permit flip flops, cut off pants or pants with rips or tears; off-color hair; piercings other than ears; and tattoos on the neck and above, or on the hands. An employee that is provided with Town-issued uniforms and safety equipment is required to wear the uniforms and safety equipment as directed. Employees should direct questions pertaining to appropriate dress to his or her supervisor or Department Director for clarification.

VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and Town facilities, only authorized visitors are allowed in the workplace, including Town vehicles. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Because of safety reasons, family and friends of employees are discouraged from visiting. In cases of emergency, an employee will be called to meet any visitor outside their work area.

DATING IN THE WORKPLACE

The Town strongly believes that an environment where employees maintain clear boundaries between personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships, it does establish clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to the greater trust and responsibility inherent in their positions, their access to sensitive information, and their ability to influence others.

Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while on Town premises at any time.

Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates. Supervisors or anyone else in sensitive or influential positions must disclose the existence of any relationship with a subordinate or other person under their direction. Disclosure must be made to the Town Administrator. This disclosure will enable the Town Administrator to determine whether any conflict of interest exists because of the relative positions of the individuals involved.

Where problems or potential risks are identified, the Town will work with the parties involved to consider options for resolving the conflict. The initial solution will be to remove the parties from a direct supervisor-subordinate relationship. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, are examples of situations that may require reallocation of responsibilities to avoid any actual or perceived conflict of interest or appearance of favoritism. In some cases, the Town will transfer an

employee to another position or department. Refusal to resolve such a situation in a cooperative and reasonable manner may serve as cause for discipline.

PERSONAL PHONE CALLS AND MAIL SYSTEM

The Town's phones are intended to be used for business purposes. Excessive use of the telephone or disruptive calls for personal use during working hours is unacceptable, whether on Town or personal phones. The Town's telephone lines shall not be used for personal long distance calls.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

The use of Town paid postage for personal correspondence is not permitted.

CELL PHONES

For work-related matters, employees may use their cell phones, whether these devices belong to the employee or are Town-issued. During work hours, use of personal cell phones must be kept to a minimum and not interfere with the employee's ability to perform their work, or serve a customer. The use of cell phones in front of customers is not permitted as the Town's goal is to give our customers our complete attention.

Using Cell Phone While Driving

Maryland State law requires any use of a cell phone to be hands-free. Sworn law officers are exempt from this provision when acting within the scope of their job functions. Even when using hands-free equipment, safety must always be the first priority. The Town will not pay for any personal violations received while on Town business due to texting or use of a cell phone that is not hands-free.

If it is necessary for a Town employee to use a wireless phone while driving, drivers are encouraged to follow some common sense behavior to ensure that a wireless phone does not become a distraction.

- If an employee must make a work-related call while driving, the employee is advised to wait until the employee can safely pull over and stop the employee before placing the call. If the employee must place a call, do so when the employee is not moving or before pulling into traffic.
- Cell phones are not allowed to be used in any commercial type vehicles. Use of the radio is allowed. All calls must be taken or made when the vehicle is stopped.
- If the employee receives a work-related call while driving, the employee should ask the caller to wait until the employee can safely pull over and stop the vehicle.
- Suspend calls when in heavy traffic or hazardous weather conditions.
- Do not take notes; look up phone numbers or text while driving. Texting or emailing while driving is a violation of Maryland State law.
- Do not take phone calls when in work zones and follow any other Federal or State laws regarding phone use while driving.
- Do not engage in stressful or emotional conversations that might divert the employee's attention from the road.

CAMERA PHONES AND OTHER RECORDING DEVICES

Many cell phones, tablets, and other technology come with built-in recording capabilities, including camera, video, and audio recording devices. Although these features are fun for personal use, using them in the workplace can lead to violations of privacy and breaches of confidentiality. It is not permitted to record or photograph any documents, information, or actions while on duty or within any Town building without permission from the Department Director or Town Administrator or his or her designee.

In some situations, taking a picture or video of a violation or situation may be of assistance to the Town. In such situations, consult your supervisor for its appropriateness. Any photographs and videos are the property of the Town. An employee should consult the social media policy for further information.

SOCIAL MEDIA

The Town understands that social media can be a fun and rewarding way to share one's life and opinions with family, friends and co-workers around the world; however, the use of social media also presents certain risks and carries with it certain responsibilities. To assist an employee in making responsible decisions about an employee's use of social media, the Town has established these guidelines for appropriate use of social media.

Social media includes all means of communicating or posting information or content of any sort on the internet, including to an employee's or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication. An employee is solely responsible for what is posted online in his or her name. Before creating online content, an employee should consider some of the risks and rewards that are involved. Any conduct that adversely affects job performance, the performance of fellow co-workers or otherwise adversely affects elected officials, customers, citizens, suppliers, people who work on behalf of the Town, or the Town's legitimate business interests may result in disciplinary action up to, and including, termination.

An employee should be familiar with the town's Employee Conduct and Work Rules, Computer Usage, Cell Phone, and Anti-harassment policies and ensure employee actions are consistent with these policies. Inappropriate posting to social media formats may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to, and including, termination.

An employee should follow these simple guidelines in regards to social media:

Be Respectful

Employees are expected to be fair and courteous to co-workers and other employees, customers, citizens, suppliers, or others who work on behalf of the Town. An employee who has a problem, dispute, or complaint against a Town employee or Town elected official should follow the Town's Problem Resolution policy. If an employee decides to post online complaints or criticism, the employee should avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, Town employees or elected officials, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, genetics, or any other status protected by law or Town policy.

Be Honest and Accurate

Postings should be honest and accurate when sharing information or news, and if a mistake is made, the employee should correct it as quickly as possible. Since the internet archives almost everything, even deleted postings can be searched. Postings relating to information or rumors that are known to be false about the Town, Town employees and elected officials, citizens, customers, suppliers, and people working on behalf of the Town are prohibited. Employees should also be aware that disclosure of other people's personal information could constitute a violation of HIPAA (Health Insurance Portability and Accountability Act).

Other Postings:

- An employee is prohibited from posting any confidential information relating to the Town, its employees and elected officials, and residents.
- **An employee is prohibited from sharing any photographs, videos and audio from any emergency scenes where any Town of Berwyn Heights public safety agency has responded or been involved.**
- It is illegal to communicate or give a tip on inside information to others so they may profit from the information or have personal gain.
- An employee may not create a link from an employee's blog, website or other social networking site to the Town's website without identifying yourself as an employee.
- An employee should express only individual opinions. An employee should never represent themselves as a spokesperson for the Town. If the Town is a subject of the content, the employee must be clear that the employee's views do not represent those of the Town, other employees, citizens, elected officials, suppliers, or people working on behalf of the Town. It is advisable to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the view of the Town of Berwyn Heights."
- If an employee sees unfavorable opinions, negative comments or criticism about themselves or the Town, employees should not try to have the post removed or send a written reply that could escalate the situation. The employee is directed to forward the information to their Department Director or directly to the Town Administrator.
- An employee should be aware that postings are not anonymous in online comments. Information on networking profiles is published in a public place. Even if posted anonymously or under a pseudonym, the employee's identity can be revealed or determined.

Using Social Media at Work

Employees shall not use social media while on work time or on Town-provided equipment, unless it is work-related with authorization from the employee's Department Director. An employee shall not use the employee's Town email address to register on social networks, blogs, or other online tools the employee may utilize for personal use unless this is within the scope of the employee's Town job responsibilities.

Any pictures taken during work time of work events and emergency situations become the property of the Town. An employee shall not post these pictures and videos of work events or emergency situations to any personal blogs, or social media sites like Facebook and Twitter. The employee is responsible for transferring pictures and videos of work events and emergency situation to the employee's supervisor.

Shared Responsibility

Both employees and supervisors have an important role in ensuring compliance with the Town's social media policy. The Town will not take any negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action up to, and including, termination.

Department Directors are responsible for documenting any notifications of deviations from this policy, counsel and document employees on expectations of the policy, and contact the Town Administrator or his or her designee for assistance in administering the policy.

The Town may monitor online content and reserves the right to remove posts that are in violation this policy. An employee who violate this policy may be subject to discipline up to, and including, termination of employment. If an employee has questions about this policy or a specific online posting, please contact the employee's Department Director or the Treasurer.

COMPUTER NETWORK, INTERNET, E-MAIL, AND SOFTWARE SYSTEMS

The Town's supplied communications (software and hardware) are tools the Town provides to assist the employees in the performance of business-related responsibilities. These items are deemed critical to essential activities of the Town. Employees may use these communication tools for personal use on occasion, but such use should be limited and not interfere with conducting Town business. Each employee will be required to abide by this policy as a condition of employment.

All employees are expected to use common sense and good judgment in all communications and to avoid any communication that is disrespectful, offensive, or threatening to others. The communication systems may not be used to solicit commercial purposes, religious or political causes, outside organizations or for non-Town related purposes. Town systems shall not be used to create or disseminate any offensive or disruptive messages.

All information and messages that are created, sent, received, accessed, or stored through these systems may constitute Town records and may be subject to disclosure pursuant to Federal and State public information laws and regulations, or by subpoena. The Town has the right at any time to retrieve, read, listen, review, intercept, and access and disclose all documents and messages stored on, created by, and received or sent via Town-supplied communication systems. This includes all storage media devices (i.e., CDs, DVDs, diskettes, thumb drives, etc.). Email retention is managed by individual users and is limited only by the space available to that individual and to their storage practice. Some email may have specific retention requirements and employees will be alerted when this requirement is in effect.

Each employee is responsible for the content of all text, audio, or images that he or she places or sends over the Town's Internet and e-mail system. The Town does not permit e-mail or other electronic communications that hides the identity of the sender or represents the sender as someone else. Since the Town's name is attached to all messages, employees are cautioned to use discretion in formulating the content and tone of messages.

E-mail is not considered private or confidential. All electronic communications are Town property; therefore, the Town reserves the right to examine, monitor, and regulate e-mail messages, directories and files, as well as Internet usage. Since the Internet is not secure, employees should not presume that others cannot read, or possibly alter, an employee's messages.

The Town has established internet services for the purpose of conducting Town business. Internet use for unethical activities or to access unprofessional or sexually explicit materials is strictly forbidden and could result in suspension and termination. Streaming video and audio for recreational use is also prohibited.

Improper use of Email or the Internet includes, but is not limited to:

- Language that is offensive, obscene, or in poor taste including jokes or messages which create an intimidating, hostile, or offensive work environment;
- Messages or information conflicting Town policies against discrimination or harassment in the workplace;

- Personal business advertisements or announcements;
- Messages or information advertising or promoting a business, political candidate, political or religious cause;
- References or messages that are offensive on the basis of race, color, religion, national origin, genetics, citizenship, ancestry, marital status, sex, disability, age, veteran's status or sexual orientation;
- Non-business frivolous use such as conducting private business, playing games, conducting betting pools, etc.
- Any illegal use of the Town's computer systems.

(This list is provided for illustrative purposes and is not all-inclusive.)

The Town reserves the right to discipline any employee violating any aspect of this policy. Blatant misuse of the Town's communication systems is not acceptable and may result in suspension, loss of email or internet access and disciplinary action up to, and including, termination and legal action. If an employee has any known or suspected violations of this policy, the employee should report it immediately to the Town Administrator or his or her designee. Any employee of the Town using Town provided Internet and e-mail must agree to the conditions of this policy and must have properly signed the Town's "E-mail/Internet/Software User Policy Statement." For more detailed information about this policy, please contact the Treasurer.

KEYS AND BUILDING ACCESS

Some employees will be provided keys and security codes to gain access to Town facilities as necessary for his or her job. Each employee will acknowledge receipt for his or key(s) or security code and the understanding that any cost(s) the Town incurs due to the employee losing his or her keys, including changing locks and making new keys, and changing security codes may become the financial responsibility of the employee that lost his or her key and code. An employee shall only access the facility during the employee's scheduled working hours or with prior approval from the employee's supervisor, Department Director, or Town Administrator.

INTRANET AND BULLETIN BOARDS

The Town uses bulletin boards and intranet web sites as an official way of keeping employees informed about policies, procedures, special events, and information concerning local, State, and Federal laws and regulations. The bulletin boards display important information and employees should consult them frequently for:

- Employee announcements
- Internal memoranda
- Organization announcements
- Payday notices
- Workers' compensation insurance information
- State disability insurance and unemployment
- Insurance information

Only authorized Town employees are permitted to post, remove, or alter any notice. Employees are not permitted to post anything on these boards without prior approval of their Department Director. If an employee has a message of interest to the workplace, they may submit it to their supervisor for approval. A supervisor will post all approved messages. The Town Administrator, Treasurer, or any Department Director has the authority to remove any items that could be construed as illegal, offensive, or inappropriate for the workplace.

Within the Police Department, there may be a board designated in use for police-related business. The Police Chief or his or her designee has the authority to remove any materials from the bulletin board that may be deemed inappropriate, or in violation any of the Town's policies.

PARKING

Employees are responsible for locking up their personal vehicles and securing their valuables. The Town is not responsible for any loss or damage due to theft or collision relating to an employee's personal vehicle. Employees are required to park in the designated personal vehicle parking area for his or her worksite.

USE OF TOWN PROPERTY

Employees are expected to care for and conserve Town resources including equipment, vehicles, facilities and supplies. Town employees may not use Town property, equipment, vehicles, or other materials for private gain, use, or convenience. The Department Director or Town Administrator may authorize the use of Town property in certain situations at his or her discretion.

USE OF TOWN VEHICLE AND EQUIPMENT

The Town may provide a Town vehicle to individuals for the performance of Town duties and responsibilities, or the Town may provide a Town vehicle for temporary employee use. Assignment, operation, or use of a Town-owned vehicle and property is restricted to official Town business and Town-authorized activities and functions. Operators of vehicles used to conduct Town business must possess a valid Maryland driver's license and the appropriate class or grade operating license for the particular equipment or vehicles to be operated.

Employees must exercise every precaution to prevent damage to Town vehicles, obey State and local traffic laws, maintain safe driving habits, and practice sound defensive driving techniques. Traffic citations and parking tickets the employee may receive while operating a vehicle on Town business, whether the vehicle is Town-owned or is an employee's personal vehicle, are the sole responsibility of the employee. All Town vehicles and equipment shall be returned in good condition, including cleanliness both inside and outside the vehicle. The employee shall immediately report any damage both inside and outside the vehicle including dents, scrapes, tears, stains, or other accidents to the Supervisor or Department Director.

An employee shall not consume any form of alcoholic beverage or use a controlled drug substance that impairs the employee's ability to safely operate a Town vehicle or equipment. An employee who is taking prescription medications which contain a warning not to operate vehicles or equipment while taking the medication are required to inform their Supervisor or Department Director that they are taking this medication and may not be authorized to operate Town vehicles or equipment.

An employee's improper use of a Town vehicle or equipment, through the Department Director or Town Administrator's determination, including but not limited to, the failure to operate a vehicle safely or return the vehicle and equipment in good condition, may result in disciplinary action up to, and including, termination of employment.

An employee who drives a Town vehicle to and from the work site when on-call or on stand-by are required to track vehicle usage and may need to pay taxes on the value of the benefit in accordance with Internal Revenue Service (IRS) regulations. This rule does not apply to sworn law enforcement officers provided that the sworn law enforcement officer drives a clearly marked police vehicle or for bona fide non-compensatory business reasons. Please contact the Treasurer for more information about this exception.

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Town vehicles authorized for take home use may be used for an employee's incidental personal needs during the commute as long as it does not significantly alter the employee's commute. Examples would be a brief stop at the grocery store or picking up a child at daycare or school. The Town will not reimburse the employee should an employee's personal property left in a Town vehicle be lost or stolen.

PRIVATE VEHICLE FOR TOWN BUSINESS (MILEAGE REIMBURSEMENT)

Employees who only travel occasionally on Town business and do not have a Town supplied vehicle may, with proper approval, use their personal vehicle for Town business and be compensated for such use at the current Internal Revenue Service (IRS) rate per business mile.

To qualify for mileage reimbursement, the person authorized to approve the employee's travel expense must approve the use of a vehicle. The employee will be responsible for carrying vehicle liability insurance. It is the supervisor's responsibility to ensure the employee has proof of insurance on file with the Treasurer before that employee is authorized to use a personally-owned vehicle for Town business. Employees are responsible for all costs associated with their vehicle and the Town will not reimburse for out-of-pocket costs for parking tickets, violations, or damages and deductibles relating to privately-owned vehicles on official Town business. Employees' personal property left in a personal vehicle used for Town business is not subject to Town reimbursement if lost or stolen.

BUSINESS TRAVEL EXPENSES

The Town will reimburse employees for reasonable business travel expenses incurred while on assignment away from the normal work location. The Town Administrator or Department Director must approve all business travel in advance.

Town employees are expected to use good judgment in requesting reimbursement of travel expenses. All travel requires an employee to complete a travel form or memorandum prior to submitting travel for approval. The Town will reimburse only reasonable expenses that comply with IRS and the Town's guidelines for deductibility; i.e., all expenses must be: "reasonable," "ordinary and necessary," and "documented and supported."

DEFINITIONS:

REASONABLE: fair, necessary, not extravagant; what a prudent person under the same circumstances would spend.

ORDINARY AND NECESSARY: an expense will be considered "ordinary and necessary" if, under the same circumstances, a prudent employee would have incurred the same expense on behalf of the Town. Ordinary expenses include hotels, meals, and coach class air travel. First class air travel, in-room movies, alcoholic beverages, and limousine rentals are not ordinary and necessary.

DOCUMENTED AND SUPPORTED: full details are provided for all meals, location where the meal occurred, with itemized (detail of purchased items) receipts attached to the expense report to support the expense.

The following are the Guidelines and Procedures for Employees:

Meals for Employees on Town Business:

A current list of meal per diem amount can be found in Appendix A or with the Treasurer. Since costs for out-of-state meals might be higher than those limits listed in the appendix, the Town Administrator or Treasurer will review the meal allowance on a case-by-case basis. Itemized receipts are required to substantiate the expense; a

stub from a restaurant is not considered a legal receipt. The restaurant should furnish a detailed receipt stating all items purchased (meals and beverages), tax, gratuity, and total amount spent.

If breakfast is included at the nightly hotel rate, employees are expected to utilize the free breakfast from the hotel and not submit a separate breakfast receipt. The same is expected if breakfast, lunch, and dinner are included as a part of the conference or seminar. The Town will not reimburse the employee for purchase of alcoholic beverages which may be part of, or independent of, a meal.

Lodging Expenses - While away on overnight travel on behalf of the Town, hotel costs should not exceed standard commercial rates where the employee is staying for the conference or seminar. The employee is responsible for comparing prices using a travel guide or internet website, and the employee should contact the lodging establishment to inquire about the government rate for official Town business travel. Employees will be reimbursed for a standard room rate or a government rate. Employees may choose to use their personal cell phones to make personal calls, which are not reimbursed through the Town. In addition, the Town will not reimburse the employee for in-room movies and mini-bar expenses. The Town may reimburse the employee for Internet use if it is a business necessity.

Air Transportation - When traveling by air, all air accommodations shall be limited to coach fare. The employee should attach the last page of the ticket as receipt for the flight, or a copy of the employee's e-ticket; an itinerary sheet from the travel agency is not a receipt.

Employees are allowed the standard carry-on item and any one (1) piece of checked luggage. Any additional upgrades such as: additional checked-in bags, upgrading to aisle or exit row seating, in-flight snacks or beverages or in-flight movies that may have an additional cost will be at the sole expense of the employee.

Lost Luggage - The employee should report the loss of luggage immediately to the airline's representative. If the luggage is not found, the airline is responsible for recovering the employee's luggage or reimbursing the employee for the loss. The Town is not accountable for any loss or damage to the employee's luggage or other personal property.

Taxi, Ground Transportation, Tolls, Parking - If a taxi, ground transportation, tolls, or parking becomes necessary for an employee while attending a conference or seminar, the employee shall use the most economical and efficient method or means of transport, such as airport shuttles, if available.

Commute and Lunch Time - The time the employee spends traveling to and returning from the conference or seminar site is considered work time, except for the time the employee would normally spend commuting to the Town's work site. The Town will not consider as work time that time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile (unless carpooling with another employee). Similarly, the time allocated to lunch during the conference or seminar is not considered work time.

Receipts - The employee shall submit all receipts to the employee's Supervisor with the completed form for approval. The employee's Supervisor will forward approved receipts to the Treasurer for prompt reimbursement of expenses. If the employee travels to a conference or seminar in the employee's own personal vehicle, the employee must report the mileage. The Town will not reimburse the employees for any expenses associated should the employee travel with a companion.

An employee who is involved in an accident while traveling on business must promptly report the incident to their immediate Supervisor. Any vehicle the Town owns, leases, or rents may not be used for personal use without prior Town approval.

With prior Town approval, a travel companion may accompany employees on business travel, when the presence of a companion will not interfere with the employee's successful completion of business objectives. Generally, an employee is also permitted to combine personal travel with business travel, as long the Town approves the time away from work. The employee is responsible for any additional expenses arising from such non-business travel.

When travel is completed, the employee should submit completed travel expense reports within fourteen (14) days. Receipts should accompany all reports for all individual expenses. An employee should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs the employee did not incur, can be grounds for disciplinary action up to, and including, termination of employment.

CAMPAIGNS/ELECTIONS/SOLICITATIONS OF CONTRIBUTIONS

The Town encourages all employees to be civically engaged in their communities. Employees, on their own time and away from any Town office, may participate in all Federal, State, and local campaigns and to openly express their views and support for a candidate or issue. No elected official, Town Administrator, Treasurer, Department Director, Supervisor, or other Town employee shall solicit employees for any type of contribution to a political party, elected official or candidate, or cause, and an employee's refusal to do so shall not subject the employee to any retribution or penalty.

While on Town time or on Town property, no Town employee shall make any solicitation of contributions from another Town employee. While on Town time, employees shall not publicly support or endorse any candidate(s) for any elected office, circulate any nominating petitions for such office, distribute any campaign literature or materials, display car stickers on Town vehicles or display placards, posters or other materials on Town premises on behalf of any candidate for elected office or ballot issue.

Any Town employee who files for candidacy of any partisan elected office, shall resign from employment with the Town before the candidates' name appears on the ballot for the office of which the employee is seeking.

GENERAL SOLICITATION

Unrestricted solicitation or distribution of literature to employees on Town premises interferes with the normal operation of business. It is detrimental to the efficiency of employees, could be a nuisance to other employees and customers, and may impair the Town's security. Non-employee solicitation or distribution of literature on Town premises is restricted and will be permitted only if the Town Administrator approves such solicitation or distribution in advance.

Employee distribution of literature of any kind and unauthorized solicitation via mail, email or by any other means during working time is prohibited. This restriction does not apply to employees who are off-duty or on rest or meal breaks, provided that such activities occur in recognized break areas or outside of Town facilities, and do not interfere with the work of Town employees not on break.

Town-wide and Department hardship solicitations are also deemed inappropriate and often makes colleagues feel uncomfortable. Employees may give freely of their time and resources to another employee on the employee's own time, but an employee shall not solicit other employees to make donations.

PROGRESSIVE DISCIPLINE

The purpose of this policy is to provide the Town's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace.

The Town strives to ensure fair treatment of all employees and make certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. By using progressive discipline, it is the Town's hope that most employee issues can be corrected at an early stage, benefiting both the employee and the Town.

Although employment with the Town is based on mutual consent and both the employee and the Town have the right to terminate employment at will, with or without cause or advance notice, the Town may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps – verbal warning, written warning, suspension with or without pay, or termination of employment – depending on the severity of the issue and the number of occurrences. At the Town Administrator's discretion, there may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a second offense may be followed by a written warning; another offense may lead to a suspension; and still another offense may then lead to termination of employment.

The Town recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps. In choosing the appropriate disciplinary action, the Town may consider the following:

- Severity of the misconduct
- History of misconduct
- Employment record
- Length of service
- Ability to correct the action
- Actions taken for similar instances that may have occurred with other employees

While it is impossible to list every type of behavior that may be deemed a serious offense, the employee conduct policy includes examples of problems that may result in immediate suspension or termination of employment; however, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

Employees may request an appeal to the Town Administrator if the Department Director has disciplined the employee, or to the Town Council when the Town Administrator has disciplined an employee. When an employee is appealing a Department Director's disciplinary action, the decision of the Town Administrator is final. When an employee is appealing the Town Administrator's disciplinary action, the decision of the Town Council is final.

PROBLEM RESOLUTION

The Town is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and honest atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the Town's supervisors and managerial team.

The Town strives to ensure fair treatment of all employees. Supervisors, managers, and employees are expected to treat one other with mutual respect and to offer positive and constructive criticism in the pursuit of providing a high level of service to Town residents.

If an employee disagrees with established rules of conduct, policies, or practices, they can express their concern through discussion with their immediate supervisor or Department Director. If the problem is not resolved to the employee's satisfaction, the employee may express his or her concern to the Town Administrator, whose decision or determination is final.

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HEALTH AND SAFETY

To provide a safe and healthy work environment for employees, customers, and visitors, the Town has established a workplace safety program. The Department Directors and Town Administrator have the responsibility for implementing, administering, monitoring, and evaluating the safety program.

The Town takes employee safety very seriously and an employee's failure to follow safety rules or use appropriate safety devices may result in a reduction of workers' compensation benefits received in the event of an injury. In order to provide a safe workplace for everyone, every employee must follow the Town's safety rules.

- No horseplay, roughhousing, and other physical acts that may endanger employees or Town property or contribute to accidents is permitted.
- Employees must follow a Department Director's safety instructions.
- Employees in certain positions may be required to wear Personal Protective Equipment (PPEs), such as hard hats, safety glasses, work boots, ear plugs, masks, or other appropriate safety gear. A supervisor or Department Director will notify an employee if his or her position requires protective gear.
- All equipment and machinery must be used properly. All guard restraints and any other safety devices must be used at all times. Employees may not use the equipment for anything other than its intended purpose.
- An employee must immediately report any workplace condition that he or she believes to be unsafe to his or her Department Director and the Town will investigate the potential safety risk immediately.

The Town provides information to employees about workplace safety and health issues through regular internal communication channels such as employee meetings, bulletin board postings, memos, or other written communications. Employees receive periodic workplace safety training where potential safety and health hazards, and safe work practices and procedures to eliminate or minimize hazards are discussed.

The Town encourages employees to share safety improvement ideas with their supervisor or Department Director. An employee may anonymously submit reports and concerns about workplace safety issues to the Town Administrator and such reports can be made without fear of reprisal.

ACCIDENTS AND INJURIES

An employee shall immediately report all accidents, no matter how minor, to his or her Department Director. An employee's prompt reporting of the accident enables the Department Director to conduct a prompt investigation, which could reveal a hazardous condition or work practice that, if not corrected, could lead to more serious injury. The supervisor or Department Director will complete an accident report form for all accidents, including reporting all accidents that happen to customers or visitors on Town property.

AUTOMOBILE ACCIDENTS OR PROPERTY DAMAGE CLAIMS

An employee shall immediately report all accidents and injuries, occurring on Town-owned or leased property, or involving Town-owned vehicles and equipment, to the employee's supervisor or Department Director, in accordance with established administrative procedures. The employee's supervisor must fill out the appropriate accident and injury reports as required.

Employees who are required to have a CDL and are involved in an accident with a Town vehicle will be required to have a drug and/or alcohol tests per the Federal Department of Transportation regulations. Other employees involved in an accident with a Town vehicle may be required to have alcohol or drug related testing depending

upon the circumstances surrounding the accident. Employees involved in the accident and asked by the Department Director or Town Administrator to participate in such testing will be required to do so, or may be subject to progressive discipline.

SMOKING POLICY - MARYLAND SMOKE-FREE WORKPLACE

The Town is a smoke-free environment. In order to maintain a safe and healthy working environment, protect the health and comfort of the public, and ensure compliance with applicable laws, employees and visitors are to be completely smoke-free within the Town's facilities, including Town vehicles, hallways, general meeting areas, waiting areas and offices.

Employees are permitted to smoke outside during lunch and break periods in designated areas only. The Town encourages those employees who wish to quit smoking and the Town's health insurance provider offers wellness programs to help employees stop smoking. Please contact the Treasurer or Town's health insurance carrier for more details.

SAFETY EQUIPMENT

Employees are required to use safety equipment for certain positions while working and supervisors and Department Directors are responsible for ensuring that employees are complying with safety requirements. Employees who fail to use required safety equipment will be subject to discipline up to, and including, termination.

The Town will provide hard hats, safety shield glasses, and any other items needed to perform the essential functions of the job safely. Employees are expected to keep their uniforms clean and in good condition. Based upon an employee's position, the employee may receive a uniform allowance on an annual basis and it may vary from year-to-year based on the adopted annual budget. An employee should speak with their Department Director to see if their position meets the requirements.

MODIFIED DUTY

The Town may, at its discretion, assign an employee to an available modified duty work position while the employee is recovering from an injury or illness; however, the Town is not obligated to provide modified duty to any Town employee. Modified duty assignments may be made for work of a temporary duration and may include work within the employee's normal duties, duties another position in the department would normally handle, duties in another department, or any other combination in fulfilling the Town's mission. The Town Administrator, in consultation with the Department Director, will review and approve any modified duty requests.

Modified duty is work that, in accordance with written medical authorization, can be performed within the employee's temporary medical restrictions without risk to the recuperation process and without potential harm to others. Modified duty is work which must be accomplished to fulfill the Town's mission as distinguished from assignments created solely to accommodate ill or injured employees.

WORKER'S COMPENSATION

The Town provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. The Town provides for all necessary medical treatment for accidental work-related injuries and illness and has the right to designate the treating physician as specified in the Maryland Workers' Compensation Law.

Employees are required to report accidental work-related injury or illness to their supervisor prior to the end of the work shift or within twenty-four (24) hours. Failure to promptly report the accidental work-related injury or illness can result in denial of future workers' compensation medical payments.

Employees who are on leave due to a work-related injury have the ability to use a combination of funding received from workers' compensation and accrued, but unused, annual or sick leave. An employee cannot receive from the combination of leave benefits, workers' compensation, and total disability payments an amount which would exceed 100% of his or her regular pay for any day while on injury leave. An employee on a work-related injury will continue to receive health and other Town-provided benefits until his or her return to employment. An employee shall not be involved in any gainful employment while on injury leave.

The Town is not responsible for payment of workers' compensation benefits for injuries resulting from the participation in any recreational, social, or athletic activity where the employee is under no Town obligation to attend and the injury did not result from the performance of tasks related to the employee's normal job duties. The Town is also not responsible for providing benefits for injuries resulting from intoxication or drug abuse, the employee's violation of established safety rules, or the removal of safety devices from tools and equipment.

The Town has the right to require the employee to submit to medical examinations from a medical provider the Town designates and is qualified to diagnose and evaluate the injury in question. If such examination establishes the ability of the employee to return to work and the employee fails to return to work, and refuses to do so, then the Town may terminate all pay and benefits. In the event the Town's examination establishes no employee injury, all pay the employee received, except for accrued and used leave benefits, shall be repaid to the Town.

The Town encourages employees to return to work for modified duty and will try to reasonably accommodate the medical provider's suggested modified duties. The modified duty program provides injured employees with temporary job placement until the employee is released to full duty or obtains maximum medical improvement. The modified duty program is designed to assist injured employees in returning to the employee's pre-injury capacity duties and responsibilities.

LIFE THREATENING ILLNESSES

Employees with life-threatening illnesses may wish to continue their normal pursuits, including work. The Town supports these endeavors as long as employees are able, in the opinion of the Town Administrator, through consultation with a medical provider, to meet acceptable performance standards. As in the case of other disabilities, the Town makes reasonable accommodations to allow qualified employees with life threatening illnesses to perform the essential functions of their position.

EMPLOYEES' RIGHT TO KNOW/HAZARD COMMUNICATION

Under the Maryland Employee Right to Know Law, all employees have the right to be informed about hazardous chemicals and substances used under normal working conditions. The Town ensures that all employees receive information regarding hazardous properties of chemicals used on the job site. The program includes maintaining the identification and list of all hazardous chemicals in the workplace, access to Material Safety Data Sheets (MSDS), ensuring that all purchased containers are properly labeled, tagged or marked with the identity of the chemical and appropriate hazard warnings and employee information and training. The goal of this program is to protect employees from the hazards that may be associated with particular chemical products, and maintaining the Town's commitment to a culture of safety.

LEAVING EMPLOYMENT

VOLUNTARY RESIGNATIONS/TERMINATIONS

An employee is employed "at will" meaning the employee can terminate their employment at any time. When an employee decides that he or she wishes to conclude employment with the Town, the Town Administrator should be notified by letter of resignation two (2) weeks or the same as ten (10) business days prior to the desired date of employee separation. Resigning employment with the Town means voluntarily terminating employment. In some situations, based on the nature of the employee's position, an employee may be asked to leave his or her position immediately even if the employee provides the Town with a two (2) weeks' notice. If asked to leave during the two (2) weeks' notice period, the employee will be paid for the remaining time of the notice.

The Department Director is responsible for preparing a memorandum briefly explaining the employee's separation from employment with the Town and include the actual date of separation of service, and well as the appropriate payroll action notice for the Treasurer.

An employee who voluntarily resigns, or a terminated employee and his or her dependent(s) have the right to continue his or her individual or dependent(s) medical or dental insurance coverage through COBRA. (See Benefit Continuation in the Employee Benefit Program section). This coverage is at a pre-determined rate and the employee must make the election to continue the coverage under a time deadline of sixty (60) calendar days from his or her separation date.

An employee who has voluntarily resigned or has been terminated from employment will not be entitled to any wage increases granted retroactively. In the event of death, retirement, or resignation, employees or their heirs will be compensated for the employee's accrued, but unused, annual leave. This provision does not apply to employees who have been terminated from employment with the Town for adverse reasons.

Whether the employee voluntarily resigns or is terminated from employment, he or she is required to surrender all Town property in their possession upon separation from service. Failure to return any Town property will result in legal action and withholding of any compensation owed to the employee.

LAY OFF (REDUCTION-IN-FORCE)

An employee may be subject to a non-disciplinary, involuntary termination through a reduction-in-force. Such a termination may be due to factors such as shortage of funds, elimination of a position, or lack of work. Layoffs shall be determined at the discretion of the Town Administrator, in consultation with the Department Director. Employees will be laid off based on a number of factors, including, but not limited to, qualifications, past performance, productivity, seniority, required certifications and licenses, and the position in comparison to necessary Town services.

All benefits will be frozen and will not accrue while an employee is in layoff status. Employees separated due to reduction-in-force are eligible to collect unemployment insurance provided the employee meets the State's eligibility requirements. An employee should contact the local unemployment office to file a claim for unemployment compensation.

A laid off employee may be eligible for recall from the date of layoff to fill any vacancy of the same classification occurring within the Department or any other vacant position for which the employee is qualified. Where a number of employees are eligible for recall, the position will be offered to the laid off employee who is best qualified in the opinion of the Department Director with the Town Administrator's approval.

An employee offered a position on recall must accept the position within three (3) working days from the date of such recall or he or she will be considered to have voluntarily terminated their employment with the Town. The Town retains the right to recruit outside of the Town's laid off employee list for vacant positions when no qualified employees in laid off status are available for recall.

RE-EMPLOYMENT

If employees who are in good standing are rehired within six (6) months of a reduction-in-force, they will be reinstated with full seniority. Employees will earn vacation and sick leave at the accrual rates prior to leaving the Town. Previous leave balances will not be reinstated.

Former employees who are rehired and return to work more than six (6) months after their termination will be rehired only as new employees and must complete a new probation period; they will be considered new employees for any and all benefits. As a general rule, the Town will not rehire former employees who:

- The Town previously terminated from employment
- Resigned without giving two (2) weeks' notice
- Were dismissed for inability to perform job duties
- Had a poor attendance record
- Had a below-average evaluation
- Violated work rules or safety rules

FINAL PAYCHECK

An employee's final paycheck at the time of separation includes pay for time worked and any accrued leave available based on the Town procedures, less any monies the employee owes the Town and the appropriate tax deductions.

EXIT INTERVIEWS

The Town may hold a voluntary exit interview with every employee who leaves employment with the Town for any reason. During the interview, employees will have the opportunity to inform the Town about their employment experience, such as what they liked and what areas may be improved for future employees. The Town values constructive comments and strives to maintain confidentiality for any issues discussed during the exit interview, to the extent such comments do not involve situations in violation of the Town's policies.

The exit interview also allows for time to handle issues regarding the end of employment with the Town. The employee will be expected to return all Town property at the interview (i.e., Town credit cards, cell phones, keys, etc.). The employee will have an opportunity to then ask any questions regarding the continuation of coverage questions on benefits, final paycheck, or any other questions regarding his or her employment with the Town.

Appendix A: Per Diem Meal Amounts

Table 4 illustrates the current per diem meal amounts.

Table 4: Meal per Diem Amounts

Per Person meal limits not to exceed:	Amount
<i>A maximum of \$60 per day, including taxes and gratuity (for the employee only)</i>	
<i>Breakfast</i>	<i>\$12.50</i>
<i>Lunch</i>	<i>\$17.50</i>
<i>Dinner</i>	<i>\$30.00</i>

September 2016

The Town will reimburse a gratuity of up to 20% of the meal charge (before tax).